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International Court of Justice

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Official transcript of the International Military Tribunal, in the matter of: The United States of America, The French Republic, The United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on 20 December 1945, 1000-1245, Lord Justice Lawrence, presiding.

MAJOR FARR: May it please the Tribunal, when the Tribunal rose yesterday, we were discussing the number of persons who might be involved in the concentration camp program with which the SS was concerned. Nothing better illustrates the integrated character of the whole organization than the concentration camp program.

WVHA, one of the departments of the Supreme Command, handled the administration and control of that camp program and dealt with the victims once they were in the camp. They were assisted by the Death Head units, who furnished the guard personnel for the camps, and subsequently by the Allegemeine SS, which took over guard duties during the war.

RSHA played a part in the concentration camp program - the police arm of the SS - because through it the victims were apprehended and taken to the camps. Thus the SD appears in the picture, the personal staff, the first department of the Supreme Command, sort of the top office of the whole organization, and naturally had much to do with the work of all subordinate departments.

Thus when the question is asked how many persons in the SS had something to do with the concentration camp program, it is a question which I think it is impossible to answer. You may point out how many persons were involved in the Death-Head units, who originally furnished the guard details. You may estimate how many persons were in the Allgemeine SS, but to say just what percentage of the whole organization was involved in that program, is something, which I find myself unable to do.

I had just pointed out -

THE PRESIDENT: Can you say that one or other branch of the SS provided the whole of the staff of the concentration camps?

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MAJOR FARR: By the staff, I take it you mean guards at the camp, the guard personnel. You can't do that. For example, the Death-Head units originally started off as being the units which furnished all the guard personnel. Subsequently, their task was taken over by members of the Allgemeine SS.

THE PRESIDENT: Those are both branches of the SS?

MAJOR FARR: Both branches, yes. With respect to the camp commandants, for instance, normally all high ranking offices in the SS were members of the Allgemeine SS, so doubtless such personnel would be drawn from that branch. It is certainly not beyond question that some members of the Waffen SS may have been called on to act as guards in certain camps. I don't think that you can say that there is no component of the SS, which may not have had some of its personnel involved in the program.

THE PRESIDENT: That wasn't exactly what I meant. What I meant was: could you say that one or other branches of the SS furnished the whole staff of the concentration camps?

MAJOR FARR: I don't think I can say that. I think I could say this --

THE PRESIDENT (Interposing): What other organization was it that furnished a part of the staff of the concentration camps?

MAJOR FARR: You mean an organization other than the SS?

THE PRESIDENT: Yes.

MAJOR FARR: I know of none.

THE PRESIDENT: Then the answer would be "yes" then?

MAJOR FARR: I thought your Honor was asking if I could refer to any one branch of the SS, which was concerned alone with that. The SS, so far as I know, is the only organization, which played a part in the concentration camp picture, except at the very end of the war when I think, as Colonel Storey said yesterday, some members of the SA were also involved as guard personnel of concentration camps.

THE TRIBUNAL (Mr. Biddle): Do you know the total personnel at the end of the War?

MAJOR FARR: Of the entire SS?

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MR. BIDDLE: Yes.

MAJOR FARR: That is something you would have to estimate. I quoted to the Tribunal yesterday the figures that d'Alquen gave as to the strength of the Allgemeine SS in 1939. He said then that there were about 240,000 men in the Allgemeine SS. There were at that time about 4 regiments of Death-Head units, several other regiments of the Verfuegungsgruppe, a few thousand personnel involved in the SD, so that I should say in 1939 you had about 250,000 to 300,000 members of the SS. With the outbreak of the war, the Waffen SS was built up from a few regiments of the Verfuegungsgruppe to about 31 divisions at the end of the war, which would probably mean that the Waffen SS, by 1941, had had some 400,000 to 500,000 persons involved. I take it that 400,000 to 500,000 members of the Waffen SS would be in addition to personnel of the Allgemeine SS, who were subject to compulsary military service in the Wehrmacht. So that, if I had to estimate, I would say that probably some 750,000 persons would be the top figure of personnel, who had been involved in the SS from the beginning, but that is an estimate.

MR. BIDDLE: Then you have no breakdown to show how many of those were civilians, clerks, stenographers, soldiers and so on?

MAJOR FAR: No. When we are talking about SS members, we are not talking about stenographers who worked in the office, who were not members of the SS. By SS members, we mean personnel who took oath and appeared on the membership list, either as a member of the Allgemeine SS, the Death-Head unit, or the Waffen SS. I would think that my figure of 750,000 was a figure including members of the SS, Allgemeine SS, the Totenkopfverbande, and the Waffen SS.

I was pointing out the shift of control of concentration camps to WVHA in 1942, which was coincident with the shift in the basic purpose of the camps, which theretofore had been concerned with custody of individuals for political and security reasons. Now the basic purpose of the camps was to furnish manpower and I now want to point out to the Court the agencies of the SS, which were involved in that manpower drive.

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The Tribunal has already received evidence of an order, which was issued in 1942 shortly after the transfer to WVHA of concentration camp control, directing Security Police to furnish at once 35,000 prisoners qualified to work in the camps. That order is our Document 1063-PS, and was received in evidence as US Exhibit No. 219.

35,000 prisoners was, of course, merely the beginning. The SS dragnet was capable of catching many more slaves. I offer in evidence a carbon typewritten copy of a directive to all the departments of the SS Supreme Command, issued from Himmler's field headquarters on August 5, 1943. It is our Document No. 744-PS. I offer it as U.S.Exhibit 455. That directive appears on page 2 of the translation. It implements an order signed by the Defendant Keitel, directing the use of all males, captured in guerilla fighting in the East, for forced labor. The Keitel directive appears on page 1 of the translation.

I shall read only the Himmler directive appearing on page 2 of the translation. The Tribunal will note that it is addressed to every main office of the SS Supreme Command. I read that list of addressees of the directive:

"(1) Chief of the personal staff of Reichsfuehrer SS.

(2) SS Main Office.

(3) Reich Security Main Office (RSHA).

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(4) Race and resettlement main office-SS

(5) Main office, ordinary police

(6) SS economic administrative main office.

(7) SS personal main office.

(8) Main office SS court

(9) SS Supreme Command - Headquarters of Waffen SS.

(10) Staff Headquarters of the Reichcommissar for the consolidation of Germanism.

(11) Main office center for Racial Germans.

(12) Office of SS Obergruppenfuehrer Heissmeyer.

(13) Chief of the guerilla-fighting units."

I point out to the Court that every one of the main offices appearing on the chart, is a recipient of that directive. The next addressees are the Highes SS and Police Leaders in the various regions.

I continue to quote the body of the directive:

"I order, that all young female prisoners, capable of work are to be sent to Germany for work, through the agency of Reich Commissioner Sauckel.

"Childred, old women and men are to be follected and employed in the somen's and children's camps, established by me, on estates as well as on the border of the evacuated area."

In April 1944 the SS was called on to produce even more laborers - this time 100,000 Jew from Hungary. The Tribunal will recall the minutes of the Defendant Speer's discussion with Hitler on April 6 and 7, 1944, which were found in our Document R-124 at page 36 and were read to the Court, in evidence as US Exhibit 179, minutes in which Speer referred to Hitler's statement that he would call on the Reich fuehrer SS to produce 100,000 Jews from Hungary.

The last source of manpower had not been tapped. To Jews, deportees, women and children, there was added the productive power of prisoners of war. It was through the SS that the conspirators squeezed the last drop of labor from such prisoners.

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I refer to the statement by the Defendant Speer, which appears in our Document R-124 at page 13 of the translation, the document itself having already been introduced in evidence as U.S. Exhibit 179. The statement is found at page 7, last paragraph of the original, page 13 of our Document R-124, the next to the last paragraph on page 13. That appears in Volume 2 of the Document Book. I quote:

"Speer: We have come to an arrangement with the Reichsguehrer SS as soon as possible so that PW's he picks up are made available for our purposes. The Reichsfuehrer SS gets from 30 to 40 thousand men per month."

In order to insure SS control over the labor of prisoners of war, the Reichsfuehrer SS was finally appointed as head of all prisoner-of-war camps on 25 September 1944. I offer in evidence the letter referring to his appointment. It is our Document 058-PS. It is U.S. Exhibit 456. It will be found in Volume 1 of the Document Book. That letter is a circular letter from the Director of the Party Chancellory, dated 30 September 1944 and signed "M. Bormann". I quote, beginning with the first paragraph of that letter:

"1. The Fuehrer has ordered under the date 25 September 1944:

'The custody of all prisoners of war and interned persons, as well as prisoner of war camps, and institutions with guards, are transferred to the commander of the Reserve Army from Ocotober 1, 1944.'"

Passing to paragraph 2 of the letter, I shall read sub-paragraphs (a) and (c), I quote:

"2. The Reichsfuehrer SS has commanded:

(a) In my capacity as Commander of the Reserve Army, I transfer the affairs of prisoners of war to Gottlob Berger, SS-Lieut. General, Chief of Staff of the Volkstums."

Skipping now to sub-paragraph (c):

"(c) The mobilization of labor of the prisoners of war will be organized with the present labor mobilization office in joint action between SS-Lieut. General Berger, and SS-Lieut. General Pohl.

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"The strengthening of security in the field of prisoners of war affairs is to be accomplished between SS-Lieut. General Berger and the Chief of the Security Police, SS-Lieut. Gen. Dr. Kaltenbrunner."

Thus the SS finally took over direction and control of prisoners of war camps.

So impressive were the results obtained from SS concentration camp labor, that in 1944 the Defendant Goering called on Himmler for more inmates for use in the aircraft industry. The Tribunal will recall his teletype to Himmler, our Document 1584-PS, Part 1, which was ready in evidence by Mr. Dodd, as U.S. Exhibit No. 221. Let me now read Himmler's reply to that teletype. It is our Document 1584-PS, Part 3, and will be found on page 2 of Part 3 of 1584-PS. I offer it in evidence as U.S.A. Exhibit 457. I quote the beginning of that letter:

"Most Honored Reichsmarshal:

"Following my teletype letter of the 18 February 1944 I herewith transmit a survey on the employment of prisoners in the aviation industry.

"This survey indicates that at the present time about 36,000 prisoners are employed for the purposes of the air force. An increase to a total of 90,000 prisoners is contemplated.

"The production is being discussed, established and executed between the Reich Ministry of Aviation and the chief of my economic-administrative main office, SS-Obergruppenfuehrer and General of the Waffen-SS, Pohl respectively.

"We assist with all forces at our disposal.

"The task of my economic-administrative main office, however, is not solely fulfilled with the delivery of the prisoners to the aviation industry as SS-Obergruppenfuehrer Pohl and his assistants take care of the required working speed through constant control and supervision of the work-groups (Kommandos) and therefore have some influence on the results of production. In this respect I may suggest consideration of the fact that in enlarging our responsibility through a speeding up of the total work, better results can definitely be expected.

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I pass now to the last two paragraphs of the letter, which will be found on the next page of the translation:

"The movement of manufacturing plants of the aviation industry to subterranean locations requires further employment of about 100,000 prisoners. The plans for this employment on the basis of your letter of 14 Feb. 1944 are already under way.

"I shall keep you, most honored Reichsmarshal, currently informed on this subject."

Incidentally, I might call to the Tribunal's attention the fact that SS Obergruppenfuehrer Pohl, who was head of the WVHA, was also a general of the Waffen SS, which goes to show that there is no manner in which you can characterize the functions in the SS.

The extent to which the number of prisoners was increased through SS efforts is illustrated by our Document 1166-PS, which I offered in evidence yesterday as U.S. Exhibit 458. This document is a report from Office Group D of WVHA, dated 15 August 1944. I shall read the first page of that report, beginning:

"With reference to the above-mentioned telephone call, I am sending herewith a report on the actual number of prisoners for 1.8.1944 and of the new arrivals already announced, as well as the clothing report for 15.8.44.

"(1) The actual number on 1.8.44, consisted of:

a)	male prisoners	379,167
b)	female prisoners	145,119

"In addition, there are the following new arrivals:

1)	from the Hungary program (anti-Jewish action)	90,000
2)	from Litzmannstadt (Police prison and Ghetto)	60,000
3)	Poles from the General Gover[illegible]	15,000
4)	Convicts from the Eastern Territories	10,000
5)	former Polish officers	17,000
6)	from Warsaw (Poles)	400,000
7)	continued arrivals from France approx.15,000--	20,000

"Most of the prisoners are already on the way and will be received into the Concentration Camps within the next few days."

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This intensive drive for manpower to some extent interfered with the program which WVHA had already undertaken to exterminate certain classes of individuals in the camps. I offer a photostatic copy of a letter from WVHA, dated 27 April 1943, our Document 1933-PS. It is U.S. Exhibit 459. The letter is addressed to a number of concentration camp commanders, is signed by Gluecks, SS Brigade Fuehrer and Major General of the Waffen SS. I read the letter:

"The Reich Fuehrer-SS and Chief of German Police has decided, after consultation, that in the future only mentally sick prisoners may be selected for action 14 F 13 by the medical commissions appointed for this purpose.

"All other prisoners incapable of working (tubercular cases, bed-ridden cripples etc.) are to be basically excepted from this action. Bed-ridden prisoners are to be drafted for suitable work which they can perform in bed.

"The order of the Reich Fuehrer SS is to be obeyed strictly in the future.

"Requests for fuel for this purpose therefore do not take place."

The action "14 F 13" is not defined in the letter, but it is perfectly apparent what it means. Every human being, bedridden, crippled, no matter what his physical condition, from whom any work at all could be extracted, was to be excepted from the action. Only the insane, from whom nothing could be expected, were to suffer the action. What could the action be? It is perfectly apparent. The action was extermination.

The SS, however, was to some degree enabled to achieve both goals -- that of increased production and of elimination of undesirables. The Tribunal will recall the agreement between the Minister of Justice Thierack and Himmler on September 18, 1942, our Document No.654-PS, which was read in evidence by Mr. Dodd as U.S. Exhibit No.218. I am not going to quote again from that document, but will remind the Tribunal that the agreement provided for the delivery of anti-social elements after the execution of their sentences, to the Reichsfuehrer SS, to be worked to death.

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The conditions under which such persons worked in the camps were well calculated to lead to their deaths. Those conditions were regulated by the WVHA. As an illustration of WVHA management, I call the Court's attention to our Document 2189-PS, which I offer in evidence as U.S. Exhibit 460. It is an order directed to commandants of concentration camps, dated 11 August 1942, and bearing the facsimile signature, which does not appear on the translation, but does appear on the original, of SS Brigade Fuehrer and General of the Waffen SS Gluecks, who was Chief of Office Group D of WVHA. That is Document 2189-PS. I read the body of that letter:

"The Reichsfuehrer SS and Chief of the German Police has ordered that punishment by beating will be executed in concentration camps for women by prisoners -- under the ordered supervision.

"In order to coordinate this order the main office chief of the main SS economic administration office, SS-Obergruppenfuehrer and General of the Waffen SS Pohl, has ordered, effective immediately, that punishment by beating will also be executed by prisoners in concentration camps for men.

"It is forbidden to have foreign prisoners execute the punishment on German prisoners."

Even after their deaths, the prisoners did not escape the management of WVHA. I refer the Court to our Document 2199-PS, a letter to commanders of concentration camps, dated 12 September 1942, and signed by the Chief of the Central Office of Office Group D of WVHA, SS Obersturmbannfuehrer Leibehenschel. I offer this as U.S. Exhibit 461. I shall read the body of that directive, which appears on page 1 of the translation of 2199-PS. I quote:

"According to a communication of the Chief of the Security Police and the SD, and conforming to a report of the Chief of Security Police and SD in Prague, urns of deceased Czechs and Jews were sent for burial to the home-cemeteries within the Protectorate.

"Based on different events (Demonstrations, erecting of posters inimical to the Reich on urns of deceased inmates in halls of cemeteries

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in the home-communities, pilgrimages to the graves of deceased inmates etc.) within the Protectorate, the delivery of urns with the ash remnants of deceased Nationals of the Protectorate and of Jews is henceforth prohibited. The urns shall be preserved within the Concentration Camps. In case of doubt about the preservation of the urns oral instructions shall be available at this agency."

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The SS indeed regarded the inmates of concentration camps as its own personal property to be used for its own economic advantage. The tribunal will recall that as early as 1942, the Defendant Speer recognised that the SS was motivated by the desire for further profits when he suggested to Hitler that the SS receive a share of the war equipment produced by concentration camp labor in ratio to the working hours of the prisoners. I refer to our Document R-124, at page 136, which was read into evidence by Mr. Dodd as U.S. Exhibit 179. The Fuehrer agreed that a 3 to 5% share would satisfy SS commanders. Himmler himself frankly admitted his intention to derive profits for SS purposes from the camps, in his speech to the officers of the SS Leibstandarte "Adolf Hitler," our Document No. 1918-PS, U.S. Exhibit No. 304 -- the passage in question being found at the top of page 3 of the English translation and on page 10 of the original German, 7 lines from the bottom. The passage begins:

"The apartment-building program, which is the prerequisite for a healthy and social basis of the entire SS, as well as of the entire Fuehrercorps, can be carried out only when I get the money for it from somewhere. Nobody is going to give me the money. It must be earned, and it will be earned by forcing the scum of mankind, the prisoners, the professional criminals, to do positive work. The man guarding those prisoners serves just as hard as the one on close-order drill. The one who does this and stands near these utterly negative people, will learn within three to four months, and we shall see: in peacetime, I shall form guard battalions and put them on duty for three months only to fight the inferior beings, and this will not be a boring guard duty, but if the officers handle it right, it will be the best indoctrination on inferior beings and inferior races. This activity is necessary, as I said, 1, to eliminate these negative people; 2, to exploit them once more for the great folk community, by having them break stones and bake bricks, so that the Fuehrer can again erect his grand buildings; and 3, to in turn invest the money, earned soberly this way, in houses, in ground, insettlements, so that our men can have houses in which to raise large families, and have lots of children. This in turn is necessary because we stand or die with this leading blood of Germany, and if the good blood is not reproduced,

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we will not be able to rule the world."

One final aspect of SS control over concentration camps remains to be mentioned. That is its direction of the program of biological experiments on human beings, which was carried on in the camps. Just a few days ago, another military tribunal passed judgment on some of those who participated in the experiments at Dachau.

THE PRESIDENT: There is no date on that document you just read; is there?

MAJOR FARR: There appears to be no date on the English translation. The original document bears the notation of a speech in April, 1943.

THE PRESIDENT: Yes?

MAJOR FARR (continuing): At a later stage in this case, evidence of some of the details of this program of experiments will be presented. It is no my purpose to deal with those experiments from the substantive aspect. I shall show only that they were the result of SS direction, and that the SS played a vital part in their successful execution.

The program seems to have originated in a request by Dr. Sigmund Rascher to Himmler, for permission to utilize persons in concentration camps as material for experiiments with human beings, in connection with research he was conducting on behalf of the Luftwaffe. I refer to our Document 1602-PS, a photostatic copy of a letter, dated 15 May 1941, addressed to the Reichsfuehrer SS, and signed "S. Rascher." I offer it as U.S. Exhibit 454. I shall quote from the 2nd paragraph of the translation, the fourth paragraph of the original letter. I quote:

"For the time being I have been assigned to the Luftgaukommando VII, Munich, for a medical course. During this course, where researches on high-altitude flights play a prominent part (determined by the somewhat higher ceiling of the English fighter planes) considerable regret was expressed at the fact that no tests with human material had yet been possible for us, as such experiments are very dangerous and nobody volunteers for them. I put, therefore, the serious question: can you make available two or three professional criminals for these experiments? The experiments are made at "Bodenstaendige Bruefstells fuer Hoehenforschung der Luftwaffe"), Munich. The

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experiments, by which the subjects can, of course, die, would take place with my cooperation. They are essential for researches on high-altitude flight and cannot be carried out, as has been tried, with monkeys, who offer entirely different test-conditions. I have had a very confidential talk with a representative of the air forces Surgeon who makes these experiments. He is also of the opinion that the problem in question could only be solved by experiments on human persons. (Feeble-minded could also be used as that material)."

Dr. Rascher promptly received assurance from the SS that he would be allowed to utilize concentration camp inmates for his experiments.

I refer to our Document 1582-PS, a letter dated 22 May 1941, addressed to Dr. Rascher, and bearing the stamp of the Personal Staff of the Reichsfuehrer SS, and the initials, "K Br", which initials are those of SS Sturmbannfuehrer Karl Brandt. I offer this letter as U.S. Exhibit 462. I quote the first two paragraphs of that letter:

"Dear Dr. Rascher:

"Shortly before flying to Oslo, the Reichsfuehrer SS gave me your letter of 15 May 1941, for partial reply.

"I can inform you that prisoners will of course be gladly made available for high-flight researches. I have informed the Chief of the Security Police of this agreement of the Reichsfuehrer SS, and requested that the competent official be instructed to get in touch with you."

The altitude experiments were conducted by Rashcer, and in May 1942, General Field Marshal Milch, on behalf of the Luftwaffe, expressed his thanks to the SS for the assistance it furnished in connection with the experiments.

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I refer to our document No. 343, and I offer in evidence an original letter, dated 20 May 1942, addressed to SS Obergruppenfuehrer Wolff, and signed E. Milch, as U. S. Exhibit 463. That letter, which appears on page two of the translation, and on page one of the original German, is as follows:

"Dear Wolffe (the German says, "Liebes Woelffchen):

"In reference to your telegram of 12 May our sanitary inspector reports to me that the altitude experiments carried out by the SS and Air Force at Dachau have been finished. Any continuation of these experiments seems essentially unreasonable. However the carrying out of experiments of some other kind, in regard to perils at high seas, would be important. These have been prepared in immediate agreement with the proper offices; Major (M.C.) Weltz will be charged with the execution and Capt, (M.C.) Rascher will be made available until further orders in addition to his duties within the Medical Corps of the Air Corps. A change of these measures does not appear necessary, and an enlargement of the task is not considered pressing at this time.

"The low-pressure chamber would not be needed for these low-temperature experiments. It is urgently needed at another place and therefore can no longer remain in Dachau.

"I convey the special thanks from the supreme commander of the Air Corps to the SS for their extensive cooperation.

"I remain with best wishes for you in good comradeship and with

Heil Hitler!

Always yours

/s/ E. Milch"

THE PRESIDENT: Major Farr, hadn't you better read the letter on the preceding page? It may be capable of an explanation.

MAJOR FARR: The letter on the preceding page is dated 31 August 1942, is also from General Field Marshal Milch, and is addressed to the Reichsfuehrer SS. It reads as follows:

"Dear Mr. Himmler:

"I thank you very much for your letter of the 25th of August. I have read with great interest the reports of Dr. Rascher and Dr. Romberg.

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I am informed about the current experiments. I shall ask the two gentlemen to give a lecture, combined with the showing of motion pictures, to my men in the near future.

"Hoping that it will be possible for me to see you at the occasion of my next visit to Headquarters, I remain with best regards and

Heil Hitler!

Yours

E. Milch."

Having finished his high altitude experiments, Dr. Rascher proceeded to experiment with methods of rewarming persons who had been subjected to extreme cold. I refer to our Document 1618-PS, which is an intermediate report on intense chilling experiments which had been started in Dachau on 15 August 1942. That report, signed by Dr. Rascher, I offer in evidence as U. S. Exhibit 464. I shall read only a few sentences from the report, beginning with the first paragraph:

"Experimental procedure.

"The experimental subjects (V P) were placed in the water, dressed in complete flying uniform, winter or summer combination, and with an aviator's helmet. A life jacket made of rubber or kapok was to prevent submerging. The experiments were carried out at water temperatures varying from 2.5° to 12°. In one experimental series, occiput and brain stem protuded above the water, while in another series of experiments, the occiput and brain stem back of the head were submerged in the water.

"Electrical measurements gave low temperature readings of 26.4° in the stomach and 26.5° in the rectum. Fatalities occurred only when the brain stem and the back of the head were also chilled. Autopsies of such fatal cases always revealed large amounts of free blood, up to ½ liter, in the cranial cavity. The heart invariably showed extreme dilation of the night chamber. As soon as the temperature in these experiments reached 28°, the experimental subjects (V P) died invariably, despite all attempts at resuscitation."

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I skip now to the last paragraph of the report. Excuse me, the next to the last paragraph of the report. I quote:

"During attempts to save severely chilled persons, it was shown that rapid rewarming was in all cases preferable to slow rewarming, because after removal from the cold water, the body temperature continued to sink rapidly. I think that for this reason we can dispense with the attempt to save intensely chilled subjects by means of animal heat.

"Rewarming by animal warmth - animal bodies or women's bodies - would be too slow."

Although Rascher was thus of the preliminary opinion that rewarming by women's bodies would be too slow, means for conducting such experiments were nevertheless placed at his disposal. I refer to our Document 1583-PS, a photostatic copy of a letter from Reichsfuehrer SS Himmler, addressed to Lieutenant General Pohl, dated 16 November 1942. I offer it as US Exhibit 465. I can read just the first two paragraphs of that letter:

"Dear Pohl:

"The following struck me during my visit to Dachau on the 13th of November 1942, regarding the experiments conducted there for the saving of people whose lives are endangered through exposure in ice, snow or water, and who are to be saved by the employment of every method or means:

"I had ordered that suitable women are to be set aside from the concentration camp for these experiments for the warming of those who were exposed. Four girls were set aside who were in the concentration camp due to loose living, and being prostitutes, they formulate a danger of contagion."

I think it is unnecessary for me to go on with the rest of the paragraph, in which he expresses his dissatisfaction that a German prostitute should be used for this purpose.

To insure the continuance of Rascher's experiments, Himmler arranged for his transfer to the Waffen SS. I offer in evidence a letter which appears as our Document 1617-PS. It is a letter from Reichsfuehrer SS addressed to "Dear Comrade Milch" -- General Field Marshal Milch -- dated November 1942. I offer it as US Exhibit 466. I will now read the first

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two paragraphs of that letter, our Document 1617-PS. I quote:

"Dear Comrade Milch:

"You will recall that through General Wolff I particularly recommended to you for your consideration the work of a certain SS Fuehrer, Dr. Rascher, who is a physician of the air force on leave.

"These researches which deal with the behavior of the human organism at great heights, as well as with manifestations caused by the prolonged cooling of the human body in cold water, and similar problems which are of vital importance to the air force in particular, can be performed by us with particular efficiency because I personally assumed the responsibility for supplying asocial individuals and criminals who deserve only to die from concentration camps for these experiments."

I shall omit the next four paragraphs, in which Himmler reflects upon the difficulties of conducting such experiments, because Christian medical circles were opposed, and pass on to the last paragraph on the first page of the translation. That is the seventh paragraph of the letter:

"I beg you to release Dr. Rascher, Stabsarzt in reserve, from the air force and to transfer him to me to the Waffen SS. I would then assume the sole responsibility for having these experiments made in this field, and would put the results, of which we in the SS need only a part for the frost injuries in the East, entirely at the disposal of the air force. However, in this connection I suggest that with the liaison between you and Wolff a non-Christian physician should be charged, who should be at the same time honorable as a scientist and not prone to intellectual theft and who could be informed of the results. This physician should also have good contacts with the administrative authorities, so that the results would really obtain a hearing.

"I believe that this solution - to transfer Dr. Rascher to the SS, so that he could carry out the experiments under my responsibility and under my orders, is the best way. The experiments should not be stopped; we owe that to our men. If Dr. Rascher remained with the air force, there would certainly be much annoyance, because then I would have to bring a series of unpleasant details to you, because of the arrogance and assumption which Professor Dr. Holzlochner has displayed in the post of Dachau,

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who is under my command, about me in utterances delivered to SS Colonel Sievers. In order to save both of us this trouble, I suggest again that Dr. Rascher should be transferred to the Waffen SS as quickly as possible."

THE PRESIDENT: Is that letter from Himmler?

MAJOR FARR: That letter is from Himmler. Now Rascher's experiments were by no means the only experiments in which the SS was interested. Without attempting even to outline the whole extent of the experimental program, I shall give just one further illustration of this type of SS activity. I refer to our Document L-103, which is a report prepared by the Chief Hygienist in the office of the Reich Surgeon of the SS and Police, dated 12 September 1944. I offer it as US Exhibit 467. Parenthetically I might note that the office of the Reich Surgeon SS and Police will be found in the personal staff

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department, as indicated by the second box on the right-hand side of the line leading down from the personal staff.

I shall read a few paragraphs from this report, which is a report prepared by the Chief Hygienist in the office of the Reich Surgeon of SS and Police, and signed SS Oberfuehrer Dr. Murgowsky. It relates to experiments with poison bullets. Beginning with the first paragraph, I quote:

"On 11 September 1944, in the presence of SS Sturmbamfuehrer Dr. Ding, Dr. Widman and the undersigned, experiments with Akonotinnitrate bullets were carried out on five persons who had been sentenced to death. The calibre of the bullets used was 7.65 centimeters, and they were filled with poison in crystal form. Each subject of the experiments received one shot in the upper part of the left thigh, while in a horizontal position. In the case of two persons, the bullets passed clean through the upper part of the thigh. Even later no effect from the poison could be seen. These two subjects were therefore rejected."

I omit the next few sentences and proceed beginning with paragraph 2 of the report:

"The symptoms shown by the three condemned persons were surprisingly the same. At first, nothing special was noticeable. After 20 to 25 minutes, a disturbance of the motor nerves and a light flow of saliva began, but both stopped again. After 40 to 44 minutes, a strong flow of saliva appeared. The poisoned persons swallowed frequently, later the flow of saliva is so strong that it can no longer be controlled by swallowing. Foamy saliva flows from the mouth. Then a sensation of choking, and vomiting start."

The next three paragraphs describe in coldly scientific fashion the reactions of the dying persons. The description then continues, and I quote beginning with the last paragraph of the report, just before the conclusion to follow. I beg the Tribunal's pardon, I want to quote the two

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paragraphs before the conclusion. It is the last paragraph on page 1 of the translation, the sixth paragraph of the report.

"At the same time there was pronounced nausea. One of the poisoned persons tried in vain to vomit. In order to succeed he put four fingers of his hand, up to the main joint, right into his mouth. In spite of this, no vomitting occurred. His face became quite red.

"The faces of the other two subjects were already pale at an early stage. Other symptoms were the same. Later on the disturbances of the motor nerves increased so much that the persons threw themselves up and down and rolled their eyes and made aimless movements with their hands and arms. At last the disturbance subsided, the pupils were enlarged to the maximum, the condemned lay still. Massetercramp and loss of urine was observed in one of them. Death occurred 121, 123 and 129 minutes after they were shot".

The fact that SS doctors engaged in such experiments was no accident. It was consistent with an ideology and racial philosophy which, to use Himmler's words, regarded human beings as lice and offal. But the most important factor was that the SS alone was in a position to supply necessary human material. And it did supply such material through WVHA. I refer to our Document 1751-PS, which is a letter from the Chief of Office Group D of WVHA, dated 12 May 1944. I offer it as US Exhibit 468, our Document 1751-PS. I quote that letter. It appears in the original file on the last page. I quote:

"There is cause to call attention to the fact that in every case permission for assignment has to be requested here before assignment of prisoners is made for experimental purposes.

"To be included in this request are number, kind of custody, and in case of aryan prisoners, exact personal data, file number in the Main Reich's Security Office and the reason for detainment into the concentration camp.

"Herewith, I explicitly forbid assignment of prisoners for experimental purposes without permission.

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The translation says that the signature is illegible, but I think it appears from the original that it is the signature of Gluck, since he was the department chief of Department D of WVHA. It was on the basis of being able to supply such material that the Reich Ministry of Finance was prepared to subsidize the SS experimental program. I offer in evidence a series of letters between the Ministry of Finance, the Reichs Research Department, and the Reich Surgeon of the SS and Police. They are our Document 002-PS, which I offer in evidence as US Exhibit 469. The first letter from which I quote appears on page 4 of our Document 002-PS, and is from the head of the Security Council of the Reichs Research Department, addressed to the Surgeon of SS and Police. It is dated 19 February 1943. I read the first three paragraphs of that letter:

"The Reichs Minister of Finance told me that you requested 53 leading positions for your office, partly for a new research institute.

"After the Reichsmarshall of the great German Reich had, as President of the Reichs Research Department, entrusted himself with all German research, issued directives among other things, that in the execution of military important scientific tasks, the available institutions including equipment and personnel should be utilized to the utmost for reasons of necessary economisation of effort.

"The foundation of new institutes comes therefore only in question

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in as far as there areno outstanding institutes available for the furtherance of important war research tasks." I omit the rest of the letter.

To this litter the Reich Surgeon of SS and Police replied on the 26th of February 1943. The reply will be found on page 2 of the English translation. It is a letter from the Reich Surgeon SS and Police to the head of the Security Council of the Reichs Research Department, dated 26 February, 1943. I quote the first three paragraphs of that letter. It begins:

"My dear Bureau Chief:

"In acknowledgment of your correspondence of the 19th February 1943, I am able to reply the following to it today:

"The appropriation for the 53 key positions for my office which you made the basis of your memorandum was a veritable peace plan.

"The special institutes of the SS which are to be partly staffed through this appropriation are to serve the purpose to establish and make accessible for the entire realm of scientific research the particular possibilities of research only possessed by the SS."

Omitting the next two paragraphs, I continue:

"I will gladly be at your disposal at any time to discuss the particular research aims in connection with the SS, which I would like to bring up upon the direction of the Reichs Director SS."

An interview between the Reich Surgeon and Mentzel, the author of the original letter, took place, and on the 25th of March, 1943, Mentzel wrote a letter to the Reich Minister of Finance, which is found on page 1 of the translation. It is a letter from the President of the Reichs Research Department Head of the Security Council to the Reich Minister of Finance, dated 25 March, 1943. The letter begins:

"In regard to your correspondence of the 19th December" -- and then follow the serial numbers of the letter -- "to which I gave you a preliminary communication on the 19th of February, I finally took the following position:

"The Surgeon General-SS and Police, in a personal discussion, told me that the budget claim which he looks after is used primarily in the pure military sector of the Waffen SS. Since it is established on a

smaller scale for the enlarging of scientific research possibilities, they pertain therefore exclusively to such affairs that are carried out with the material (prisoners) which isonly accessible to the Waffen SS and are therefore not to be undertaken for any other experimental purposes.

"I cannot object therefore on the part of the Reichs Experimental Counsel against the budget claims of the Surgeon General, SS and Police." The letter is signed, "Mentzel, Bureau Chief."

Thus it was because the SS was in a position to supply material for the program of experiments that it took the lead in that field of endeavor.

THE PRESIDENT: Does the letter on page 4 mean that the Defendant Goering was President of the Reichs Research Department?

MAJOR FARR: Page 4 of the translation? That I understand to be the case. The point of the letter being that Goering had laid down the rule that during the war there was to be no duplication of experimental facilities. Therefore, the Reichs Research Department to whom the Minister of Finance had turned for an opinion asked the Reich Surgeon, "Why do you want to carry on this program of experiments?"

THE PRESIDENT: I was only asking whether the President of the Reichs Research Department was the Defendant Goering?

MAJOR FARR: That is what is stated in the letter. I understand that to be the case.

THE PRESIDENT: Then what do the words, "President of the Reichs Research Department" on page 1 mean? Does that mean that the letter went to the Defendant Goering?

MAJOR FARR: No. The letterhead bears the notation "President of the Reichs Research Department," and the letter proceeds from an office of that department, Head of the Security Counsel. The letter is addressed to the Reich Minister of Finance.

THE PRESIDENT: I see.

MAJOR FARR: I have concluded the concentration camp phase.

THE PRESIDENT: We will recess now for ten minutes.

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(A recess was taken from 1120-1135)

THE PRESIDENT: It will perhaps be convenient that I should announce that the Tribunal will adjourn today at four o'clock.

MAJOR FARR: Through its activities with respect to concentration camps, the SS performed part of its mission to safeguard the security of the Nazi regime. But another specialized aspect of that mission must not be forgotten. The Tribunal will recall Himmler's definition of that task -- a definition I referred to earlier -- the prevention of a Jewish-Bolshevist revolution of subhumans. In plain words, participation in the Nazi program of Jewish persecution and extermination.

It would be idle for me to refer again at any length to the evidence relating to that program which the Tribunal heard a day or so ago from Major Walsh. I want to call attention to just a few documents showing how the program involved every branch and component of the SS.

The racial philosophy of the SS, which I dealt with at the very outset, made that organization a natural agency for the execution of all types of anti-Semitic measures. The SS position on the Jewish question was publicly stated in the SS newspaper "Das Schwarze Corps", the issue of August 8, 1940, by its editor, Gunter d'Alquen, a statement that has already been read into evidence as U.S. Exhibit No. 269. It was our Document 2668-PS. I shall not repeat that quotation in which d'Alquen says that the Jewish question will not be solved until the last Jew has been deported, and that the German peace which awaits Europe must be a peace without Jews.

The attempted solution of the Jewish question through the spontaneous demonstrations in Germany following the murder of von Rath in November of 1938 has been presented to the Tribunal; In those demonstrations all branches of the SS were called on to play a part. I refer to the teletype message from SS Gruppenfuehrer Heydrich, Chief of the Security Police and SD, issued on the 10th of November 1938. It is our Document 3051-PS. Portions of that teletype have already been read into evidence as U.S. Exhibit 240. I wish to read one further paragraph, which has not been read. It appears on page two of the translation, the fourth paragraph.

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"The direction of the measures of the Security Police concerning the demonstrations against Jews is vested with the organs of the State Police (by which he means the Gestapo) inasmuch as the inspectors of the Security Police are not issuing their own orders. In order to carry out the measures of the Security Police, officials of the Criminal Police, as well as members of the SD, of the Verfuegungstruppe and the Allgemeine SS may be used."

With the outbreak of the war and the march of Nazi armies over Europe, the SS participated in solving the Jewish question in other countries in Europe. The solution was nothing short of extermination. To a large degree these wholesale murders were disguised under the name of "anti-partisan" or "anti-guerilla" actions, and as such included as victims not merely Jews but Soviets, Poles, and other Eastern peoples. With this anti-partisan activity I shall deal in a few moments. I want to refer now to a few actions confined essentially to Jews. To take one example -- the mass annihilation of Jews in gas vans -- described in our Document 501-PS, which was read into the record by Major Walsh, as U.S. Exhibit No. 288. I don't think that that document appears in the document book, because I am not going to read from it. I simply want to point out that these gas vans, as appears from the letters, were operated by the Security Police and SD under the direction of RSHA. Or to take another example -- the report entitled "Solution of the Jewish Question in Galicia", our Document L-18, prepared by SS Gruppenfuehrer and Lt. General of the Police Katzmann and rendered to SS Obergruppenfuehrer and General of the Police Kreuger.-- that report has already been referred in evidence as Exhibit No. 277. The Tribunal will recall that the solution consisted in evacuation and extermination of all the Jews in Galicia, and the confiscation of their property carried out under the energetic direction of the SS and Police Leaders with the assistance of SS police units. I wish to read three short items in the report, which has not already been read. The first is a text under a paragraph which appears on page 3 of the translation and on page 3(a) of the original report. It is the first item on page 3 of the translation. I quote:

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"Great was the joy of the SS men when the Reichsfuehrer SS in person in 1942 visited some camps along the Rollbahn."

The second is a balance sheet, which appears on page 11 of the translation, and page 17 of the report. I read item three on the balance sheet.

"3. Amount paid over to the SS cashier:

"a. Camps 6 876 251,00 zlotas

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"b. W & R Factories 6 556 513,69 zlotas

"Total 13 423 764,69 zlotas

"Further payments to the SS cashier are effected every month."

The third item I desire to read is the last two paragraphs of the report found on page twenty of the translation, and on page sixty-four of the original document. I read the last two paragraphs of the report.

"Despite the extraordinary burden heaped upon every single SS Police Officer during these actions, mood and spirit of the men were extraordinarly good and praiseworthy from the first to the last day.

"Only thanks to the sense of duty of every singl leader and man have we succeeded to get rid of this plague in so short a time."

The final example of SS participation in Jewish extermination to which I shall call the Tribunal's attention is the infamous report by SS Brigade-fuehrer and Major General of the Police, Stroop, of the destruction of the Warsaw Ghetto, our Document 1061-PS. That report was introduced in evidence by Major Walsh as US Exhibit No. ~~257~~ 275, and the Tribunal indicated that it would take the whole report as evidence without the necessity of reading it in full. I shall not, therefore, read any further passages, but I do want to point out specifically two sections dealing with the constitution of the forces participating in that fearful action. On page one of the translation is a table of the units used.

THE PRESIDENT: Is it here?

MAJOR FARR: Our Document 1061-PS. I am just going to call your attention to the table of units which were employed in this action, indicating the average number of officers and men from each unit employed per day. It will be observed that among the units involved were the staff of the SS and Police Leader, two battalions of the Waffen SS, two battalions of the 22nd SS Police Regiment, and members of the Security Police. The part played by the Waffen SS came in for high praise from the writer of the report. The Tribunal will recall the passage which was read by Major Walsh in which reference was made to the toughness of the men of the Waffen SS, the Police, and the

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and the Wehrmacht; and in which the writer said that, "considering that the greater part of the men of the Waffen SS had been trained for only three or four weeks before being assigned to this action, high credit should be given for the pluck, courage, and devotion to duty which they showed."

The Tribunal has already heard Himmler's proud boast of the part that the SS played in the extermination of the Jews. It occurs in his Posen Speech, our Document 1919-PS, USA 170 and was read into the record in the presentation of the case dealing with concentration camps. The passage to which I refer appears on about the middle of page four of the translation and on page sixty-five of the original. Since that passage has already been read, it is unnecessary for me to quote it again; but I do want the Tribunal to note that Himmler stated that only the SS could have carried out this extermination program of the Jews, and that its participation in that program was a page of glory in its history which could never be fully appreciated.

I now turn to the manner in which the SS fitted into the aggressive war program of the conspirators, and, too, its responsibility for the crimes against peace which were alleged in the indictment. From its very beginning, it made prime contributions to the conspirators' aggressive war aims.

First, it served as one of the paramilitary organizations under which the conspirators disguised their building up of an Army in violation of the Versailles Treaty. Second, through affiliated SS organizations in other countries and through some of the departments in its own Supreme Command, it fostered Fifth Column movements outside Germany and prepared the way for aggression. Third, through its militarized units, it participated in the aggressive actions which were evantually carried out.

The Tribunal has just heard the evidence against the SA which demonstrated that from 1933 to 1938 the SA were militarized and in fact were nothing but a comouflaged Army. Some of that evidence related to the SS as well. The paramilitary character of the Allgemeine SS is apparent. I have already described the military character of its structure

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the military discipline required of its members and the steps it took to enlist in its ranks young men of military age. In addition to this volunteer Army the SS created as early as 1933 fully armed professional units. These were the SS Verfuegungstruppe and the Death Head Units with which I have dealt with yesterday.

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While building up the SS as a military force within Germany, the conspirators also utilized it in other countries to lay the groundword for aggression. The evidence presented by Mr. Alderman of the preparations for the seizure of Austria show the part played by the SS Standarte 89 in the murder of Dolfuss and described the memorial plaque which was erected in Nurnberg as a tribute to the SS men who participated in that murder. I refer to U.S. Exhibit No. 59 and 60, our Document No's L-273 and 2968-PS, which were introduced by Mr. Alderman. The Tribunal will recall the subsequent story of the events of the night of March 11, 1938, when the SS marched into Vienna and occupied all government buildings and important posts in the city - a story unfolded in U.S. Exhibit 61, our Document No. 2949-PS, the report of Gauleiter Rainer to Reich Commissioner Duerckel, (which was read in evidence by Mr. Alderman) and in U.S. Exhibit 76, the record of the telephone conversation between the Defendant Goering and Dambrowski, which appears on page 575 of the transcript of the record.

The same pattern was repeated in Czechoslovakia. Henelin's Free Corps played in that country the part of fifth column which the Austrian SS had played in Austria, and it was rewarded by being placed under the jurisdictic of the Reichsfuehrer SS in September 1938. I refer to our Document 388-PS, which was read in evidence by Mr. Alderman as U.S. Exhibit No. 26 at page 598 of the record. The items touched in item 37 and 38 of the so-called Schmundt files. Moreover - as shown by item 36 of that file, which Mr. Alderman read into the record, the SS had its own armed units -- four bsttalions of Totenkopf Verbaende - actually operating in Czechoslovakia before the Munich Pact was signed. SS preparations for aggression were not confined to military forces. One of the departments of the SS Supreme Command - the Volkdeutsche Mittelstelle - which is represented on the chart by the third box from the top at the extreme right - was a center for fifth column activity. The Tribunal may recall the secret meeting between Hitler and Henlein in March 1938, described in the notes of the German Foreign Office, U.S. Exhibit No. 95, at which the line to be followed by the

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Sudetan German Party was determined. The Volkdeutsche Mittelstelle was represented at that meeting by Professor Haushofer and SS Obergruppenfuehrer Lorenz. And when the Foreign Office in August 1938 awarded further subsidies to Henlein's Sudetan Party, the memorandum of that recommendation for further subsidies contained the significant footnote "Volkdeutsche Mittlestelle will be informed." I refer to U.S. Exhibit 96, our Document 3059, which was read into the record by Mr. Alderman, at pages 789 and 790 of the record.

Then at last the time came to strike, the SS was ready. I quote from the National Socialist Yearbook for 1940, our Document No. 2164-PS, US exhibit 255 on page 1, paragraph 2, of the translation; page 365 of the original, paragraph 3.

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"When the march into the liberated provinces of the Sudetenland began on that memorable October 1, 1938, the emergency forces (Verfuegungstruppe) as well as the Death Head Units (Totenkopf Verbaende) were along with those in the lead."

I omit the balance of the paragraph and continue with the next paragraph:

"The 15th of March, 1939 brought a similar utilization of the SS when it served to establish order in collapsing Czechoslovakia. This action ended with the founding of the protectorate Bohemia-Moravia.

"Only a week later, on the 29th of March 1939, Meml also returned to the Reich upon basis of an agreement with Lithuania. Again it was the SS, here above all the Eastern Prussian SS, which played a prominent part in the liberation of this province".

In the final act in setting off the war -- the attack on Poland in September 1939 -- the SS acted as a sort of stage manager. The Tribunal will recall the oral testimony of Erwin Lahousen with relation to the simulated attack on the radio station at Gleiwitz by Germans dressed in Polish uniforms -- what Lahousen referred to as one of the most mysterious actions which took place in the Abwehr office. Describing his task of getting the Polish uniforms and equipment together, he said at page 620 of the transcript:

"These articles of equipment had to be prepared, and one day some man from the SS or the SD - the name is on the official diary of the War Department -- fetched them".

The war erupted and the Waffen SS again took its place in the van of the attacking forces.

During the war great use was made of the peculiar qualities possessed by the SS -- qualities not only of its combat force but of its other components as well. I turn now to a consideration of some of the tasks in which the SS was engaged during the war -- tasks embracing the commission of war crimes and crimes against humanity described in the Indictment.

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The Tribunal has already received in evidence a directive, our Document 447-PS, as U.S.A. Exhibit 135. It is a directive issued by the Defendant Keitel on the 12 of March, 1941, covering some of the preparations made three months in advance for the attack on Russia. Paragraph 2b of that directive, which was read into the record, provided that in the area of operations the Reichsfuehrer SS was entrusted with special tasks for the preparation of the political administration, tasks which would result from the struggle about to commence between two opposing political systems.

One of the steps taken by the Reichsfuehrer SS to carry out those "special" tasks" was the formation and use of so-called "anti-partisan" units. They were discussed by Himmler in his Posen speech, our Document No. 1919-PS, at page 3 of the translation, paragraph 5, page 57 of the original, last paragraph. I read these two paragraphs in which he discusses the anti-partisan units:

"In the meantime I have also set up the Chief of the anti-partisan units. Our comrade SS Obergruppenfuehrer von dem Bach is Chief of the anti-partisan units. I considered it necessary for the Reichsfuehrer SS to be in authoritative command in all these battles, for I am convinced that we are best in position to take action against this enemy struggle, which is decidedly a political one. Except where units which had been supplied and which we had formed for this purpose were taken from us to fill in gaps at the front, we have been very successful.

"It is notable that by setting up this department, we have gained for the SS in turn, a division, a corps, an army and the next step -- which is the High Command of an army or area of a group -- if you wish to call it that".

What the SS did with its divisions, corps and army out of which the anti-partisan units were formed, is illustrated in the reports rendered as to the activities of such units. I offer in evidence activity and situation report No.6 of the Task Forces of the Security Police and SD in the U.S.S.R. covering the period from the 1st to the 31st of October 1941. It is our Document No. R-102, and will be found in Volume 2 of the Document Book. It is the US Exhibit No. 470. The report shows that so-called "anti-partisan" activity was actually nothing but a name for extermination of persons believed

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politically undesirable and of Jews. The report is a very carefully organized and detailed description of such extermination. Section I describes the stations of the various Task Forces involved; Section II their activities. The latter section is divided into parts, each dealing with a different geographical region -- the Baltic area, White Ruthenia, and the Ukraine.

Under each area the report of activities is classified under three headings:

(a) Partisan activity and counteraction; (b) arrests and execution of communists and officials; and (c) Jews. I shall read only a few typical paragraphs, selected at random.

First, to show the units involved, I quote the second and third paragraphs, of page 4 of the translation and which also appears on page one of the original.

"The present stations are:

"Task Force A: since 7 October 1941 Krasnowardeisk.

"Task Force B: continues in Smolensk

"Task Force C: since 27 September 1941 in Kiev

"Task Force D: since 27 September 1941 in Nikolajew.

"The Action and Special Commandos (Einsatz und Sender Commandos) which are

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attached to the Task Force continue on the march with the advancing troops into the sectors which have been assigned to them."

I shall now read from the section headed, "Baltic area" and subsection labelled "Jews", beginning with the first paragraph on page 5 of the translation, page 8 of the original, second paragraph.

"The male Jews over 16 were executed with the exception of doctors and the elders. At the present time this action is still in progress. After completion of this action there will remain only 500 Jewesses and children in the Eastern territory."

I skip now to the section headed "White Ruthenia", the subsection headed, "Partisan activity and counteraction." The paragraph I shall read begins on page 6, paragraph 5 of the translation, found on page 11, paragraph 1 of the original. I quote:

"In Wultschina 8 juveniles were arrested as partisans and shot. They were inmates of a children's home. They had collected weapons which they hid in the woods. Upon search the following were found; 3 heavy machine guns, 15 rifles, several thousand rounds of ammunition, several hand grenades, and several packages of poison gas Ebrit.

"b) Arrests and executions of Communists, Officials and Criminals.

"A further large part of the activity of the Security Police was devoted to the combatting of Communists and criminals. A special Commando in the period covered by this report executed 63 officials, NKVD agents and agitators."

The subsection on arrests and executions of Communists, officials and criminals in White Ruthenia, ends as follows and I read from page 6 of the translation, paragraph 14, page 12 of the original, paragraph 5:

"The liquidation for the period covered by this report have reached a total of 37,180 persons."

The final item I shall quote is the Section headed "Ukraine" under the subsection,"Jews". It will be found on page 8 of the translation, paragraph 10, page 18 of the original, next to the last paragraph:

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"In Shitomir 3145 Jews had to be shot, because from experience they have to be regarded as bearers of Bolshevik propaganda and saboteurs." This report, the Tribunal will recall, deals with the activities of four Task Forces - A, B, C and D. The more detailed report of Task Force A up to 15 October 1941 is our Document L-180. It has already been introduced in evidence as U. S. Exhibit 276 and some paragraphs were read from it. It will be referred to again in the case against the Gestapo. I desire to read only two paragraphs which show the great variety of SS components in such a task force.

I might point out to the Court that this elaborately bound report (indicating) which the Court has already seen, has a sort of pocket-part supplement, in which appears a breakdown of the personnel engaged in this action, in graphic form. I shall read the component parts which appear on this chart in a moment. First, I will quote from page 5 of the translation, paragraph 4.

THE PRESIDENT: Does that book you just put in, refer to the extermination of the Jews in Galicia?

MAJOR FARR: 180?

THE PRESIDENT: No, the book you just put in.

MAJOR FARR: No, 1061 is the Warsaw Ghetto. This is the report of Action Group A, an anti-partisan task force which operated in the Baltic states in 1941.

THE PRESIDENT: It is not L-180?

MAJOR FARR: It is L-180.

The passage I will read appears on page 5 of the translation, paragraph 4, and on page 12 of the original, first paragraph. I quote:

"This description of the over-all situation showed and shows that the members of the Stapo (The Secret State Police), Kripo and SD-(that is the Criminal Police) and the SD (Security Service) who are attached to the Action Group, are active mainly in Lithuania, Latvia, Esthonia, White Ruthenia and to a smaller part, in front of Leningrad. It shows further that the forces of the uniformed police and the Armed SS are active mainly in front of Leningrad, in order to take measures against the returning popu-

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lation and under their own officers. This is so much easier because the Action detachments in Lithuania, Latvia and Esthonia have at their disposal native police units, as described in enclosure 1, and because so far 150 Latvian reinforcements have been sent to White Ruthenia.

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"The distribution of the leaders of Security Police and SD during the individual phases can be gathered from enclosure 2, the advance and the activities of the Action-Group and the Action-detachments from enclosure 3. It should be mentioned that the leaders of the armed SS and of the uniformed police who are reserves have declared their wish to stay with the Security Police and the SD."

I quote now from enclosure 1a, which was referred to, showing the constitution of the Force. This will be found on page 14 of the translation. It was the graphic chart which I showed the Court a few moments ago, the translation having simply the breakdown of the components. I quote:

"Total Strength of Action Group A

Total:	990	
Waffen - SS	340	34.4%
Motor Bicycle-Riders	172	17.4%
Administration	18	1.8%
Security Service (SD)	35	3.5%
Criminal Police (Kripo)	41	4.1%
State Police (Gestapo)	89	9.0%
Auxilliary Police	87	8.8%
Order Police	133	13.4%
Female Employees	13	1.3%
Interpreters	51	5.1%
Teleprinter-Operators	3	0.3%
Wireless-Operators.	8	0.8%

The Tribunal will observe that in that last, there appears the Waffen SS, the SD, Criminal Police, the Gestapo and the Order Police, all of which were part of the SS or under SS jurisdiction.

One final report of the anti-partisan activity may be referred to. It is a report from the General Commissar for White Ruthenia to the Reich Minister for Occupied Eastern territories. It is our Document R-135, which I think is in the Document Book under 1475-PS, two document numbers having been combined. I think you will find it under 1475. That document was introduced into evidence by Major Walsh as

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USA Exhibit No. 289 and he read into the record the letter from the Reich Commisar of the Eastern territories, transmitting the report in question. The letter he read appears on page one of the translation. I desire to read a paragraph or two from the report itself, which is found on page 3 of the translation. It deals with the results of the police operation "Cottbus." I quote the first paragraph.

"SS Brigadefuehrer, Major General of Police von Gotteberg reports that the operation 'Cottbus' had the following result during the period mentioned:

"Enemy dead	4 500
"Dead suspected of belonging to bands	5 000
"German Dead	59"

I think it is unnecessary to continue further with the list. I skip to the fourth paragraph of the report:

"The figures mentioned above indicate that again a heavey destruction of the population must be expected. If only 492 rifles are taken from 4 500 enemy dead, this discrepancy shows that among these enemy dead were numerous peasants from the country. The battalion Dirlewanger especially has a reputation for destroying many human lives. Among the 5 000 people suspected of belonging to bands, there were numerous women and children.

"By order of the Chief of Band-Combatting SS Obergruppenfuehrer von dem Dach, units of the armed forces have also participated in the operation."

That is as far as I will quote.

The Tribunal will recall that SS Obergruppenfuehrer von dem Bach was referred to in the Posen speech by Himmler as "our comrade" whom he had placed in charge of anti-partisan activity.

The activities I have just dealt with were joint activities, in which the Gestapo, Order Police, the Waffen SS and the SS Police Regiments, were all involved. But these units were also used individually to carry out tasks of such a nature.

I offer in evidence a letter from the Chief of the Command Office of the Waffen SS, our document 1972-PS, as USA Exhibit No 471. It is a

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from the Chief of the Command Office of the Waffen SS to the Reichsfuehrer SS, dated 14 October, 1941. subject: Intermediate report on civilian state of emergency. I shall read that letter. I quote:

"I deliver the following report regarding the commitment of the Waffen SS in the Protectorate Bohemia and Moravia during the civilian state of emergency:

"In the mutual changes, all Battalions of the Waffen SS in the Protectorate Bohemia and Moravia will be brought forth for shootings, and relatively for the supervision at hangings.

"Up until now there occurred:

in Prague:	99 shootings 21 hangings
in Druenn:	54 shootings 17 hangings
Total:	191 executions (including 16 Jews).

"A complete report regarding other measures and on the conduct of the officers, non-coms and men will be made following the termination of the civilian state of emergency."

It is not surprising that units of the Waffen SS, and the branch which had thus been employed in extermination actions and the executions of civilians, are also to be found violating the laws of warfare when carrying on ordinary combat operations. I now offer in evidence a supplementary report of the Supreme Headquarters Allied Expeditionary Force Court of Inquiry re: shooting of allied prisoners of war by the 12th SS Panzer Division in Normandy, France, between the 7th and 21st of June 1944. It is our Document No. 2997-PS, USA Exhibit 472. Extracts from that report consist of the formal record of the proceedings of the Court of Inquiry and the statement of its findings are included in the document book under that document number. They have been translated into German. Under Article 21 of the Charter, this Tribunal is directed to take judicial notice of the documents of committees set up in various allied countries for the investigation of war crimes, and also of the records and findings of military and other Tribunals of any of the United Nations. This report falls squarely within that provision. Therefore, without reading portions of the document, I shall summarize the findings of the Court of Inquiry which are set out on pages 8 to 10 of the document. The court concluded that there occurred between the 7 and

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the 17th of June, 1944 in Normandy, seven cases of violations of the laws of war - -

THE PRESIDENT: What page?

MAJOR FARR: I am not quoting, I am summarizing what appears on pages 8 to 10 of the translation.

- - There occured seven cases of violations of the laws of war involving the shooting of 64 unarmed allied prisoners of war in uniform, many of whom had been previously wounded and none of whom had resisted or endeavored to escape; that the perpertrators were members of the 12th SS Panzer Division, the so-called Hitler Jugend Division; that enlisted men of the 15th Company of the 25th Panzer Grenadier Regiment of that Division were given secret orders to the effect that SS troops shall take no prisoners and that prisoners are to be executed after having been interrogated; that similar orders were given to men of the 3rd Battalion of the 26th SS Panzer Grenadier Regiment of the Division and of the 12th SS Engineering and Reconnaissance Battalions; and that the conclusion was irresistible that it was understood throughout the Division that a policy of denying quarter or executing prisoners after interrogation was openly approved.

Other combatants met a similar fate at the hands of other components of the SS. I refer to the execution of allied fliers, of commandos and paratroopers and of escaped prisoners of war who were turned over to the SD to be destroyed. Evidence of these actions will be presented in the case against the Gestapo.

Combatants who were taken prisoner encountered the SS in another form. In the case against the Gestapo, evidence will be presented of commando groups stationed in prisoner of war camps to select prisoners for what the Nazis euphemistically called "special treatment." Finally, the entire control of prisoners of war was turned over to the Reichsfuehrer SS.

I have read in evidence, this morning, our Document 058-PS, which provided for the direction of all prisoner of war camps by Himmler.

The final, but vital phase of the conspiracy in which the SS played a leading role must be mentioned. The permanent colonization of conquered

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territories, the destruction of their national existence, and the permanent extension of the German frontier were fundamental objects of the conspirators' plans.

The Tribunal received evidence, a day or so ago, of the manner in which these objectives were carried out through the forcible evacuation and resettlement of inhabitants of conquered territories, confiscation of their properties, denationalization and re-education of persons of German blood, and the colonization of conquered territories by Germans.

The SS was the logical agency to formulate and carry out the program. I have read into the record already the numerous statements made by Himmler as to SS training, which played the role of the aristocracy of the New Europe. He put those theories into practice when he was appointed, on October 7, 1939, as Reich Commissioner for the Consolidation of German Folkdom. The decree by which he was appointed to that office -- our Document 686-PS -- has already been introduced into evidence as US Exhibit No. 305. I shall not, therefore, read it.

To make and carry out plans for the program of evacuation and resettlement, a new department of the SS Supreme Command was created: Staff Headquarters of the Reich Commissioner for the Consolidation of German Nationality. That is indicated on the chart by the fourth box from the top, on the extreme right-hand side.

The functions of this office are described in the Organizations Book of the NSDAP for 1943, our Document No. 2640-PS, which has already been introduced in evidence as US Exhibit 323. I shall read the description of the functions of that Department appearing on page 3 of the translation, the last paragraph, and page 421 of the original.

I quote:

"The main office of the staff of the Reichs Commissioner for the Consolidation of German Nationality is entrusted with the whole settlement and constructive planning and with its execution within the Reich and all those territories under the authority of the Reich, including all administrative and economic questions in connection with the settlement, especially the deployment of manpower for this purpose."

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The colonization program had two principal objectives: First, the destruction of the conquered peoples by exterminating them, deportin them, and confiscating their property; second, settling racial Germans on the newly acquired land.

The extermination actions conducted by the SS, as to which I have just introduced evidence, contributed in part to clearing the conquered territories of persons who were deemed dangerous to the Nazi plan. But not every undesirable could be liquidated. Mass deportations accomplished the twin purpose of providing labor and of freeing the land for German colonists.

Evidence as to the participation of SS agencies in deporting persons to concentration camps I have already introduced.

The evacuation and resettlement program required the use of further deporting agencies. I quote from our Document 2163-PS, the National Socialist Yearbook for 1941, US Exhibit 444. The passage in question appears on page 3 of the translation, paragraph 5, and at page 195 of the original. I quote:

"For some time now the Reichsfuehrer SS has had at his disposal an office under the management of SS-Obergruppenfuehrer Lorenz, the National German Central Office, Volksdeutsche Mittelstelle. This office has the task of dealing with national German questions and the raising of required support.

"In addition to the VM, the Immigration Center Offices, with the Chief of the Security Police and the Security Service of the SS, under the management of SS-Obersturmbannfuehrer Dr. Sandberger, and the Settlement Staff of the Reich Commissioner were created, which, in cooperation with the National Socialist Welfare Organization and the Reich Railroad Agency, took charge of the migration of national Germans."

I also offer in evidence the affidavit of Otto Hoffmann, SS-Obergruppenfuehrer and General of the Waffen SS and Police, our Document No. L-49. I offer it as US Exhibit 473. Hoffmann was Chief of the Main Office for Race and Settlement in the SS Supreme Command until 1943. This affidavit was taken on August 4, 1945, at Freising, Germany. I shall read paragraph 2 of that affidavit:

"2. The executive power, in other words the carrying out of all so-called resettlement actions, that is to say, sending away of Polish and Jewish settlers and those of non-German blood from a territory in Poland destined for Germanization, was in the hands of the Chief of the RSHA Heydrich, and later Kaltenbrunner, since the end of 1942. The Chief of the RSHA also supervised and issued orders to the so-called immigration center, which classified the Germans living abroad who returned to Germany and directed them

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to the individual farms, already freed. The latter was done in agreement with the chief office of the Reichsfuehrer SS."

Other SS agencies were involved in the program for deportation. The Tribunal has already received in evidence our Document 1352-PS, as US Exhibit No. 176. It is a report relating to the confiscation of Polish agricultural enterprises, dated May 22, 1940, and signed "Kusche". Portions of that document dealing with the confiscation of Polish agricultural enterprises and the deportation of Polish owners of the land to Germany were read into the record. I shall read only one further paragraph showing SS personnel involved in this action. It appears on page 2 of the translation, the first full paragraph; and on page 10 of the original, paragraph 2.

Referring to the deportation of the Polish farmers the report says, and I quote:

"Means of transportation to the railroad can be provided:

"1. By the enterprise of the East German Corporation of Agricultural Development.

"2. By the SS NCO School in Lublinitz and the concentration camp of Auschwitz.

"These two latter places will also detail the necessary SS men for the day of the confiscation, and so forth."

The extent to which almost all departments of the Supreme Command of the SS were concerned with the evacuation program is shown by the minutes of a meeting on the 4th of August, 1942, dealing with the deportation

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of Alsatians. It is our document R-114, and was received in evidence as U.S. Exhibit No.314. I shall read only the list of persons and offices represented at that conference, since the body of the report has been read, in part, into the record.

I start at the beginning of the document, page 1 of R-114:

"Memo on the meeting of 4/8/42.

"Subject: General directions for the treatment of deported Alsatians.

"Present:

"SS Hauptsturmfuehrer Dr. Stier; SS Hauptsturmfuehrer Petri; RR Hoffmann; Dr. Scherler; SS Untersturmfuehrer Foerster." There is a notation next to those names of "Staff Headquarters."

Then: "SS Obersturmfuehrer Dr. Hinrichs, Chief of Estate Office and Settlement Staff, Strasbourg.

"SS Sturmbannfuehrer Bruckner, Intermediate Office for Racial Germans, Volksdeutsche Mittelstelle.

"SS Hauptsturmfuehrer Hummisch, Main Office for Reich Security, Reichssicherheitshauptamt.

"SS Untersturmfuehrer Dr. Sieder, Main Office for Race and Settlement, Rus-Hauptamt.

"Dr. Labes, D.V.T."

The SS not only destroyed and deported conquered peoples and confiscated their property, it also repopulated the conquered regions with so-called racial Germans. Not all Germans were deemed reliable colonists, however. Those who were not were returned to Germany for re-Germanization and re-education along Nazi lines.

A typical instance of the fate of such Germans is told in our Document No. R-112, which has already been introduced in evidence as US Exhibit 309. It is a decree of the Reich Commissioner for the Consolidation of Germandom. That decree, as the Tribunal will recall, dealt with the treatment to be accorded so-called "Polonized" Germans. By the terms of that decree, two SS functionaries were charged with the responsibility for the re-Germanization program, the Higher SS and Police Leaders, and the Gestapo.

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I think it is unnecessary for me to quote from that report, since portions have already been read into evidence. I will refer the Court specifically to Section III of the decree, which appears on page 7 of the translation, and Section IV of the decree, which appears on the same page, both of which indicate that the Higher SS Police Leaders and the Gestapo were responsible for the re-Germanization actions.

In the final stage of the process, the resettlement of the conquered lands by racially and politically desirable Germans, still other SS agencies participated. I quote again from our Document No. 2163-PS, the National Socialist Yearbook for 1941, US Exhibit 444. The passage appears on page 3 of the translation, paragraph 7, and on page 195 of the original. I quote:

"Numerous SS leaders and SS men helped with untiring effort in bringing about this systematic migration of peoples, which has no parallel in history.

"There were many authoritative and administrative difficulties which, however, were immediately overcome due to the unbureaucratic working procedure. This was especially guaranteed, above all, by the employment of the SS.

"The procedure called 'Durchschleusung' takes 3 to 4 hours as a rule. The re-settler is being passed through 8 to 9 offices, following each other in organic order: Registration office, card-index office, certificate and photo office, property office, abd biological hereditary and sanitary test office. The latter was entrusted to doctors and medical personnel of the SS and of the Armed Forces. The SS Corps Areas Alpenland, North-West, Baltic Sea, Fulda-Werra, South and South East, the SS Main Office, the NPEA -- National Political Education Institution -- Vienna, and the SS Cavalry School in Hamburg, provided most of the SS-Officers and SS-Non-Coms who worked at this job of resettlement."

I omit the next three paragraphs and continue with the Yearbook's conclusion as to the SS participation in the colonization scheme:

"The settlement, establishment and care of the newly won peasantry

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in the liberated Eastern territory will be one of the most cherished tasks of the SS in the whole future."

THE PRESIDENT: This might be a good time to break off until 2 o'clock.

MAJOR FARR: Yes, sir.

(Whereupon at 1245 hours the hearing of the Tribunal adjourned to reconvene at 1400 hours).

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20 Dec-A-JH-1.

Office transcript of the International Military Tribunal, in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on 20 December 1945, 1400-1600, Lord Justice Lawrence, presiding.

MAJOR FARR: In the course of its development from a group of strong armed body guards, some two hundred in number, to a complex organization participating in every field of Nazi endeavor, the SS found room for its members in high places -- and persons in high places found themselves a position in the SS.

Of the defendants charged in this indictment 7 were high ranking officers in the SS. They are the defendants Ribbentrop, Hess, Kaltenbrunner, Bormann, Sauckel, Neurath and Seyss-Inquart. The vital part that the defendant Kaltenbrunner played in the SS, the SD and the entire Security Police system will be shown by evidence to be presented at the conclusion of the case on the Gestapo. With respect to the other 6 defendants to whom I have just referred, I desire to call to the tribunal's attention the fact with respect to their membership in the SS. This fact is rather a matter of judicial notice than of proof. Evidence of the fact is to be found in two official publications which I now offer the court. The first is this black book -- the membership list of the SS as of 1 December 1936. This book contains a list of all the members of the SS as of that date arranged according to rank. I offer it in evidence as U.S. Exhibit No.474. Turning to page 8 of that publication we find at line 2 the name "Hess, Rudolf" followed by the notation "By authority of the Fuehrer the right to wear the uniform of an SS Obergruppenfuehrer." I now offer the 1937 edition of the same membership list as U.S. Exhibit No.475. Turning to page 10, line 50, we find the name "Bormann, Martin" -- and in line with his name on the opposite page under the column headed "Gruppenfuehrer", the following date 24/9/37.

In the same edition on page 12, line 56, appears the name

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"von Neurath, Konstantin", and on the opposite page under the column headed "Gruppenfuehrer" appears the date "18.9.37." The second publication to which I refer is "Der Grossdeutsche Reichstag" for the fourth voting period, edited by E. Kienast, Ministerial Director of the German Reichstag. This is an official handbook containing biographical data as to membership of the Reichstag. I offer it in evidence as USA Exhibit No.476. On page 349 the following appears: "von Ribbentrop, Joachim, Reichminister des Auswaertigen, SS Obergruppenfuehrer." On page 360 the following appears: "Sauckel, Fritz, Gauleiter and Reichstag Reichsstalthalter in Thuringen, SS Obergruppenfuehrer." On page 389 the following appears: "Seyss-Inquart, Arthur, Dr. Jurat, Reichsminister SS Obergruppenfuehrer."

THE PRESIDENT: What was the date of that book?

MAJOR FARR: This book covers the fourth voting period on the 10 April 1938, embracing the period up to 13 January 1947 (?) that is, the voting period covers that course of years. The edition, I think, was in 1943. I might point out that the rank of the Defendants mentioned in the 1936 and 1937 editions of the membership list of the SS may not be the final rank they held. They were Gruppenfuehrers at that time, but they were members of the SS, as shown by the book.

It is our contention that the SS, as defined in Appendix B, page 36 of the Indictment, was unlawful. As an organization founded on the principle that persons of "German blood" were a "master race", it exemplified a basic Nazi doctrine. It served as one of the means through which the conspirators acquired control of the German government. The operations of the SD, and of the SS Totenkopf Verbaende in concentration camps, were means used by the conspirators to secure their regime and terrorize their opponents, as alleged in Count 1. All components of the SS were involved from the very beginning in the Nazi program of Jewish extermination. Through the Allgemeine SS as a para-military organization, and the SS Verfuegungstruppe and SS Totenkopf Verbaende, as professional combat forces, it participated in the military preparations for aggressive war, and through its militarized

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units in the waging of aggressive war in the West and in the East as set forth in Counts one and two of the Indictment. In the course of such war all components of the SS participated in the war crimes and crimes against humanity, set forth in Counts Three and Four -- the murder and ill-treatment of civilian populations in occupied territory, the murder and ill-treatment of prisoners of war and Germanization of occupied territories.

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The evidence has shown that the SS was a single enterprise - a unified organization. Some of its functions were, of course, performed by one branch or department oroffice, some by another. No single branch or department participated in every phase of its activity. But every branch and department and office was necessary to the functioning of the whole. The situation is much the same as in the case of the individual defendants at the bar. Not all participated in every act of the conspiracy - but all, we contend, performed a contributing part in the whole criminal scheme.

The evidence has shown, not only that the SS was an organization of volunteers but that applicants had to meet the strictest standards of selection It was not easy to become an SS member. That was true of all branches of the SS. We clearly recognize, of course, that during the course of the war, as the demands for manpower increased, and the losses of the Waffen SS grew heavier and heavier, there were occasions when men drafted for compulsory military service were assigned to units of the Waffen SS rather than to the Wehrmacht. Those instances were relatively few. Evidence of recruiting standards of the Waffen SS in 1943, which I quoted yesterday, has shown that membership in that branch was as essentially voluntary and highly selective as in other branches. Doubtless some of the members of the SS, or of other of the organizations alleged to be unlawful, might desire to show that their participation in the organization was a small or innocuous one, that compelling reasons drove him to apply for membership, that he was not fully conscious of its aims or that he was mentally irresponsible when he became a member. Such facts might or might not be relevant if such person were on trial. But in any event this is not the forum to try out such matters.

The question before this Tribunal is simply this, whether the SS was or was not an unlawful organization. The evidence has finally shown what the aims and activities of the SS were. Some of these aims were stated in publications which I have quoted to the Court. The activities were so widespread and so notorious, covering so many fields of unlawful endeavor, that the illegality of the organization could not have been concealed. It was a notorious fact, and Himmler, himself, in 1936, in a quotation which I read to the Tribunal yesterday, admitted that when he said, "I know that there are people in Germany now who become sick when they see these black coats.

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We know the reason and we don't expect to be loved by too many."

It was, we submit, at all times the exclusive function and purpose of the SS to carry out the common objectives of the defendant conspirators. Its activities in carrying out those functions involved the commission of the crimes defined in Article 6 of the Charter. By reason of its aims and the means used for the accomplishment thereof, the SS should be declared a criminal organization in accordance with Article 9 of the Charter.

COLONEL STOREY: If the Tribunal please, the next presentation will be the Gestapo, and it will take just a few second to get the material here.

We are now ready to proceed if your Honors are.

THE PRESIDENT: Yes.

COLONEL STOREY: We first pass to the Tribunal Document book marked "Exhibit AA." Your Honors will notice they are in two volumes, and I will try each time to refer to each volume. They are separated by the D Documents, the L Documents, the PS Documents, etc.

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The presentation of evidence on the criminality of the Geheim Staatspolizei (GESTAPO) includes evidence on the criminality of the Sicherheitsdienst (SD) of the Schutzstaffeln (SS), which has been discussed by Major Farr, because a great deal of the criminal acts were so inter-related. In the Indictment the SD is included by special reference as a part of the SS, since it originated as a part of the SS and always retained its character as a Party organization, as distinguished from the GESTAPO, which was a State organization. As will be shown by the evidence, however, the GESTAPO and the SD were brought into close working relationship, the SD serving primarily as the information gathering agency and the GESTAPO as the executive agency of the police system established by the Nazis for the purpose of combatting the political and ideological enemies of the Nazi regime.

In short, I think we might think of the SD as the intelligence organization and the Gestapo as the executive agency, the former the Party organization and the latter a State organization, but merged together for all practical purposes.

The first subject - The Gestapo and the SD were formed into a powerful, centralized political police system serving party, state and the Nazi leadership.

The Geheime Staatspolizei, or GESTAPO, was first established in Prussia on 26 April 1933 by GOERING, with the mission of carrying out the duties of political police with or in place of the ordinary police authorities. The GESTAPO was given the rank of a higher police authority and was subordinated only to the Minister of the Interior, to whom was delegated the responsibility of determining its functional and territorial jurisdiction. That fact is established in the Preussische Gesetzsammlung, of 26 April 1933, page 122, and it is our Document 2104-PS.

Pursuant to this law, and on the same date, the Minister of the Interior issued a decree on the reorganization of the police which established a State Police Bureau in each government district of Prussia subordinate to the Secret State Police Bureau in Berlin, and I cite

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as authority, the Ministerial-Blatt for the Internal Administration of Prussia, 1933, our Document 2371-PS, page 503.

Speaking of the formation of the Gestapo, the defendant Goering said, in Aufbau Einer Nation, 1934, page 87, and I quote:

"For weeks I had been working personally on the re-organization and at last I alone and upon my own decision and my own reflection created the office of the Secret State Police. This instrument, which is so feared by the enemies of the State, has contributed most to the fact that today there can no longer be talk of a Communist and Marxist danger in Germany and Prussia."

THE PRESIDENT: What was the date?

COLONEL STOREY: 1934, Sir.

On 30 November 1933 GOERING issued a decree for the Prussian State Ministry and the Reich Chancellor placing the GESTAPO under his direct supervision as Chief. The GESTAPO was thereby established as an independent branch of the Administration of the Interior, responsible directly to GOERING as Prussian Prime Minister. This decree gave the GESTAPO jurisdiction over the political police matters of the general and interior administration and provided that the district, county, and local police authorities were subject to the directives of the GESTAPO, and that cites the Prussian laws of 30 November 1933, page 413, Document 2105-PS.

In a speech delivered at a meeting of the Prussian State Council on 18 June 1934, published in Speeches and Essays of Hermann Goering, 1939, page 102, our Document 3343-PS, Goering said, and I quote one paragraph:

"The creation of the Secret State Police was also a necessity. You may recognize the importance attributed to this instrument of state security from the fact that the Prime Minister himself has made himself head of the department of the administration, because it is just the observation of all currents directed against the new state which is of fundamental importance."

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By a decree of 8 March 1934, the Regional State Police Offices were separated from their organizational connection with the district government and established as independent authorities of the Gestapo. That cites the Preussische Gesetzsammlung of 8 March 1934, page 143, our Document 2113-PS.

I now offer in evidence Document No. 1680-PS, USA Exhibit 477. This is an article entitled "10 Years Security Police and SD", published in the German Police Journal, the magazine of the Security Police and SD, of 1 February 1943. I quote one paragraph from this article on page 2 of the English translation, Document 1680, which is the third main paragraph:

"Parallel to that development in Prussia, the Reichsfuehrer SS Heinrich Himmler, created in Bavaria the Bavarian Political Police, and also suggested and directed in the other Federal States outside of Prussia the establishment of Political Police. The unification of the Political Police of all the Federal States took place in the Spring of 1934 when Hermann Goering appointed Reichsfuehrer SS Heinrich Himmler, who meanwhile had been nominated as Commander of the Political Police Forces of all the Federal States possible."

The Prussian law about the Secret State Police, dated 10 February 1936, then summed up the development hitherto and determined the position and responsibilities of the Secret State Police in the executive regulations issued the same day.

On 10 February 1936, the basic law for the Gestapo was promulgated by Goering as Prussian Prime Minister. I refer to Document 2107-PS. This law provided that the Secret State Police had the duty to investigate and to combat in the entire territory of the State all tendencies inimical to the State, and declared that orders and matters of the Secret State Police were not subject to the review of the administrative courts. That is the Prussian State Law of that date, cited on pages 21-22 of the publication of the laws of 1936.

Also on that same date of 10 February 1936, a decree for the execution of the law was issued by Goering as Prussian Prime Minister and by Frick as Minister of the Interior. This decree provided that the

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Gestapo had authority to enact measures valid in the entire area of the State and measures affecting that area -- by the way, that is found in 2109-PS and is also a published law -- that it was the centralized agency for collecting political intelligence in the field of political police, and that it administered the concentration camps. The Gestapo was given authority to make police investigations in cases of criminal attacks upon the Party as well as upon the State.

Later, on the 28th of August, 1936, a circular of the Reichsfuehrer SS and Chief of the German Police provided that as of 1 October 1936 the political police forces of the German provinces were to be called the "Geheime Staatspolizei." That means the Secret State Police. The Regional offices were still to be described as State Police.

That translation of that law is in 2372-PS, Reichsministerial Gesetzblatt of 1936, No. 48, page 1344.

Later, on 20 September 1936, a circular of the Minister of Interior, Frick, commissioned the Gestapo Bureau in Berlin with the supervision of the duties of the political police commanders in all the states of Germany. That is Reichsministerial Gesetzblatt 1936, page 1343, our Document L-297.

The law regulating and relating to financial measures in connection with the police, of the 19th of March, 1937, provided that the officials of the Gestapo were to be considered direct officials of the Reich and their salaries, in addition to the operational expenses of the whole State Police, were to be borne from 1 April 1937 by the Reich. That is shown in Document 2243-PS, which is a copy of the law of 19 March 1937, page 325.

Thus, through the above laws and decrees, the Gestapo was established as a uniform political police system operating throughout the land and serving Party, State, and Nazi leadership.

In the course of the development of the SD, it came into increasingly close cooperation with the Gestapo and also with the Reich Kriminal-polizei, the Criminal Police, known as KRIPO, K-R-I-P-O, shown up there

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under AMT V. The SD was called upon to furnish information to various State authorities. On the 11th of November, 1938, a decree of the Reich Minister of the Interior declared the SD to be the intelligence organization for the State as well as the Party, that it had the particular duty of supporting the Secret State Police, and that it thereby became active on a national mission. These duties necessitated a closer cooperation between the SD and the authorities for the General and Interior administration. That law is translated in 1638-PS.

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The Tribunal has already received evidence concerning the decrees of 17 and 26 June, 1936, in which Himmler was appointed Chief of the German Police, and by which Heydrich became the first Chief of the Security Police and SD. Even then Goering did not relinquish his position as Chief of the Prussian Gestapo. Thus, the decree of the Reichsfuehrer SS and Chief of German Police that was issued on the 28th of August, 1936, which is our Document 2073-PS, was distributed "to the Prussian Ministry President as Chief of the Prussian Secret State Police", being Mr. Goering.

On 27 September 1939, by order of Himmler in his capacity as Reichsfuehrer SS and the Chief of the German Police, the central offices of the Gestapo and SD, and also the Criminal Police, were centralized in the office of the Chief of the Security Police and SD under the name of RSHA, which Your Honors have heard described by Major Farr. Under this order the personnel and administrative sections of each agency were coordinated in Amt I and II on the chart shown here, of the RSHA. The operational sections of the SD became Amt III, shown in the box Amt III, except for foreign intelligence which was placed over in No. VI. The operational sections of the Gestapo became Amt IV, as shown on the chart, and the operational sections of the KRIPO, that is, the Criminal Police, became Amt V as shown on the chart.

Ohlendorf was named the Chief of Amt III, the SD inside Germany, and Mueller was named Chief of Amt IV, and Nebe was named Chief of Amt V, the KRIPO.

On the 27th of September, 1939, Heydrich, the Chief of the Security Police and SD, issued a directive pursuant to the order of Himmler in which he ordered that the designation and heading of RSHA be used exclusively in internal relations of the Reich Ministry of the Interior, and the heading "The Chief of the Security Police and SD" in transactions with outside persons and offices. The directive provided that the Gestapo would continue to use the designation and heading "Secret State Police" according to the particular instructions.

This order is Document L-361, U. S. Exhibit 478, which we now offer

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in evidence and refer Your Honors to the first paragraph. That is found in the first volume. I just direct your Honors' attention to the date and to the subject, which is the amalgamation of the Zentralaemter of the Sicherheitspolizei, and creating the four sections, then the words, "will be joined to the RSHA in accordance with the following directives. This amalgamation carries with it no change in the position of the Aemter in the Party nor in their local administration."

I might say here parenthetically, if the Tribunal please, that we like to think of the RSHA as being the so-called administrative office through which a great many of these organigations were administered, and then a number of these organizations, including the Gestapo, maintained their separate identity as an operational organization. I think a good illustration, if Your Honor will recall, is that during the war there may be a certain division or a certain air force which is administratively under a certain headquarters, and operationally, when they had an invasion, might be under the general supervision of somebody else who was operating a task force. So the RSHA was really the administrative office of a great many of these alleged criminal organizations.

Now then, the Gestapo and the SD were organized functionally on the basis of the opponents to be combatted and the matters to be investigated.

I now invite the attention of the Tribunal to this chart which has already been identified, and I believe it is Exhibit No. 53. This chart -- I am in error; that is the original identification number. This chart shows the main chain of command from Himmler, who was the Reich Leader of the SS and Chief of the German Police to Kaltenbrunner, who was Chief of the Security Police and SD, and from Kaltenbrunner to the various field offices of the Gestapo and the SD.

We now formally offer in evidence this chart as Document L-219.

The chart itself is based upon the document which is L-29, and I ask that the charts be passed to the -- unless Your Honors desire -- we have photostatic copies. You probably want to refer to the one on the wall.

This chart, from which the one on the wall is taken, has been certified by Otto Ohlendorf, Chief of Amt III of the RSHA, and by Walter

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Schellenberg, Chief of Amt VI of the RSHA, and has been officially identified by both of those former officials.

The chart shows that the principal flow of command in police matters came from Himmler as Reich Leader of the SS and Chief of the German Police directly to Kaltenbrunner who was the Chief of the Security Police and SD, and as such he was also head of theRSHA, which is the administrative office to which I have referred.

Kaltenbrunner's headquarters organization was composed of seven Aemter, plus a military office, the seven Aemter, plus a military office, the seven Aemter shown here.

Under subsection D was Obersturmbannfuehrer Rauff, who handled technical matters, including motor vehicles of the SIPO and SD, to which

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we will refer later.

Amt III was the SD inside Germany and was charged with investigations into spheres of German national life. It was the internal intelligence organization of the police system and its interests extended into all areas occupied by Germany during the course of the war. In 1943 it contained four sections. I would like to mention them briefly. It shows their scope of authority.

Section A dealt with questions of legal order and structure of the Reich.

B dealt with nationality questions, including minorities, race, and health of the people.

C dealt with culture, including science, education, religion, press, folk culture, and art, and D dealt with economics, including food, commerce, finance, industry, labor, colonial economics, and occupied regions.

Now, Amt IV, with which we are dealing here, was the Gestapo and was charged with combatting opposition. In 1945, as identified by these two former officials, it contained six subsections.

1. Section A dealt with opponents, sabotage, and protective service, including Communism, Marxism, reaction and liberalism.

2. Section B dealt with political, churches, sects and Jews, including political Catholicism, political Protestantism, other Churches, Freemasonry, and a special section, B-4, that had to do with Jewish affairs, matters of evacuation, means of suppressing enemies of the people and State, and dispossession of rights of German citizenship. The head of this office was Eichmann.

3. Section C dealt with protective custody.

4. Section D dealt with regions under German domination.

5. Section E dealt with security.

6. Section F dealt with passport matters and alien police.

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Now, Amt V, which will be referred to as the KRIPO, was charged with combatting crime. For example, Subsection D was the criminological institute for the SIPO and handled matters of identification, chemical and biological investigations, and technical research.

No. VI was the SD outside of Germany and was concerned primarily with foreign political intelligence. In 1944, the Abwehr, or military intelligence, was joined with Amt VI as the military Amt. Your Honors will recall that the witness Lahousen was in the Abwehr. Amt VI maintained its own regional organization.

And finally, Amt VII handled ideological research among enemies such as Freemasonry, Judaism, political churches, Marxism and liberalism.

Within Germany there were regional offices of the SD, the Gestapo, and the KRIPO, shown on the chart at the right. The Gestapo and KRIPO offices were often located in the same place and were always collectively referred to as the SIPO. You see that shady line around refers to the collective operation of the Gestapo and KRIPO, Gestapo, the Secret Police, and KRIPO, the Criminal Police. These regional offices all maintained their separate identity and reported directly to the section of the RSHA, that is, under Kaltenbrunner, which had the jurisdiction of the subject matter. They were, however, coordinated by the Inspekteurs of the Security Police and SD, as shown at the top of the chart. The Inspekteurs were also under the supervision of the higher SS and police leaders appointed for each Wehrkreis. The higher SS and police leaders reported to Himmler and supervised not only the Inspekteurs of the Security Police and SD, but also the Inspekteurs of the Order Police and various subdivisions of the SS.

In the occupied territories, the organization developed as the German armies advanced. Combined operational units of the Security Police and the SD, known as Einsatz Groups, about which Your Honors will hear in a few minutes, operated with and in the rear of the army. These groups were officered by personnel of the Gestapo and KRIPO and the SD, and the enlisted men were composed of Order Police and Waffen SS. They functioned with various Army groups. The Einsatz Groups -- and, if Your Honors will recall,

they are simply task force groups or special projects -- were divided into Einsatzkommandos, Sonderkommandos, and Teilkommandos, all of which performed the functions of the Security Police and the SD, with or closely behind the Army.

After the occupied territories had been consolidated, the Einsatz Groups and their subordinate parts were formed into permanent combined offices of the Security Police and SD within the particular geographical location. These combined forces were placed under the Kommandeurs of the Security Police and SD, and the offices were organized in section similar to this RSHA headquarters. The Kommandeurs of the Security Police and SD reported directly to Befehlshabers of the Security Police and SD who in turn reported directly to the Chief of the Security Police and SD.

In the occupied countries, the higher SS and police leaders were more directly controlled by the Befehlshabers and the Kommandeurs of the Security Police and SD than within the Reich. They had authority to

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issue direct orders so long as they did not conflict with the Chief of the Security Police and SD who exercised controlling authority.

The above chart and the remarks concerning it are based upon two documents which I now offer in evidence. They are Documents L-219, which is the organization plan of the RSHA of 1 October 1943, and Document 2346-PS.

Now, theprimary mission of the Gestapo and the SD was to combat the actual and ideological enemies of the Nazi regime and to keep Hitler and t Nazi leadership on power as specified in Count One of the Indictment. The tasks and methods of the Secret State Police were well described in an article which is translated in Document 1956-PS, Volume 2 of the document book, which is an article published in January 1936 in Das Archiv, at page 1342, which I now offer in evidence and quote from. It is on page 1 of th English translation, 1956. I will first read the first paragraph and then the third and fourth paragraphs.

"In order to refute the malicious rumors spread abroad, the Voelkisch Beobachter published an article on the origin, meaning and tasks of the Secret State Police; extracts from this read as follows:"

Then skip to the third paragraph:

"The Secret State Police is an official machinery on the lines of the criminal police, whose special task is the prosecution of crimes and offenses against the State, above all the prosecution of high treason and treason. The task of the Secret State Police is to detect those crimes and offenses, to ascertain the perpetrators and to bring them to judicial punishment. The number of criminal proceedings continually pending in the People's CCourt on account of high treasonable actions and of treason is the result of this work. The next most important field of operations for the Secret State Police is the preventive combatting of all dangers threatening the State and the leadership of the State. As, since the National Socialist Revolution, all open struggle and all open opposition to the State and to the leadership of the State is forbidden, a Secret

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State Police as a preventive instrument in the struggle against all dangers threatening the State, is indissolubly bound up with the National Socialist Leader State. The opponents of National Socialism were not removed by the prohibition of their orgainzations and their newspapers, but have withdrawn to other forms of struggle against the State. Therefore, the National Socialist State has to trace out, to watch over and to render harmless the underground opponents fighting against it in illegal organizations, in camouflaged associations, in the coalitions of well meaning fellow Germans and even in the organizations of party and state before they have succeeded in actually executing an action directed against the interest of the state. This task of fighting with all means the secret enemies of the state will be spared no Leader State, because powers hostile to the State from their foreign headquarters, always make use of some persons in such a state and employ them in underground activity against the state.

The preventive activity of the Secret Police consists primarily in the thorough observation of all enemies of the state in the Reichs Territory. As the Secret State Police can not carry out, in addition to its primary executive tasks, this observation of the enemies of the State, to the extent necessary, there steps alongside to supplement it the Security Service of the Reichs Leader of the S.S., set up by the Deputy Fuehrer as the political intelligence service of the movement, which puts a large part of the forces of the movement mobilized by it into the service of the security of the state.

The Secret State Police takes the necessary preventive measures agains the enemies of the State on the basis of the results of the observation. The most effective preventive measure is, without doubt, the withdrawal of freedom, which is covered in the form of protective custody if it is to be feared that the free activity of the persons in question might endanger the security of the State in any way. The employment of protective custody is so organized by directions of the Reichs and Prussian Minister of the Interior and by a special arrest procedure of the Secret

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State Police that, so far as the preventive fight against the enemies of the State permits, continuous guarantees against the mis-use of the protective custody are also provided."

THE PRESIDENT: Haven't we really got enough now as to the organization of the Gestapo and its objective?

COLONEL STOREY: Your Honor, I was through with the organization. I was just going into the question of the action of protective custody, for which the Gestapo was famous, and showing how they went into that field of activity and the authority for taking people into protective custody -- alleged protective custody.

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THE PRESIDENT: I think that has been proved more than once in the preceding evidence that we have heard.

COLONEL STOREY: There is one more I would like to refer to. It is not subject to judicial review, unless that has been established. I don't know whether Major Farr did that, or not.

THE PRESIDENT: They are not subject to judicial review?

COLONEL STOREY: Review, yes.

THE PRESIDENT: I think you have said that already this afternoon.

COLONEL STOREY: The citation is in the Reichsgesetzblatt of 1935, page 577, which is document 2347-PS.

I would like, if your Honors please, to refer to this quotation from that same law.

The decision of the Prussian High Court of Administration on the 2nd of May, 1935, held that the status of the Gestapo as a special police authority removed its orders from the jurisdiction of the administrative tribunal and the Court said in that law that the only redress available was by appeal to the next higher authority within the Gestapo.

THE PRESIDENT: I think you told us that, appropos of the document of the 10th of February, 1936, where you said it was not subject to review by any of the State Courts.

COLONEL STOREY: I just didn't want there to be any question about the authority. I refer your Honors to document 1852B-PS, which is already in evidence, US 449, also stating that theory, and also document 1723-PS, and that is the decree, your Honor, of February 1, 1938, which relates to the protective custody and the issuance of new regulations, and I would like to quote just one sentence from that law--"...as a coercive measure of the Secret State Police against persons who endanger the security of the people and the State through their attitude in order to counter all aspirations of enemies of the people and State"--and that the Gestapo had the exclusive right to

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order protective custody and that protective custody was to be executed in the State concentration camps.

Now, I pass to another phase where the SD created an organization of agents and informers who operated through the various regional offices throughout the Reich and later in conjunction with the Gestapo and the criminal police throughout the occupied territories. The SD operated secretly. One of the things it did was to secretly mark ballots in order to discover the identity of persons who cast "No" and "invalid votes" in the referendum. I now offer in evidence document R 142, second volume. I believe it is toward the end of the document book: R 142, US Exhibit 481.

This document contains a letter from the branch office of the SD at Kochem to the SD at Koblenz. The letter is dated 7th May, 1938, and refers to the plebiscite of April 10th, 1938. It refers to a letter previously received from Koblenz office and apparently is a reply to a request for information concerning the way in which people voted in the supposedly secret plebiscite. It is on page 1 of the document R 142.

THE PRESIDENT: Colonel Storey, I am told that that has been read before.

COLONEL STOREY: I didn't know it had, if your Honor please. We will just offer it without reading it then.

With reference to National Socialism and the contribution of SIPO and the SD, I refer to an article of 7th September, 1942, which is shown in PS-3344. It is the first paragraph, volume 2. It is the official journal.

"Already before the taking over of power, the SD had added its part to the success of the National Socialist Revolution. After the taking over of power the Security Police and the SD have borne the responsibility for the inner security of our Reich and have paved the way for a powerful fulfilment of National Socialism against all resistance."

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In connection with the criminal responsibility of SD and the Gestapo, it will be considered with respect to certain war crimes and crimes against humanity, which were in principal part committed by the centralized political police system. The development, organization and tasks have been considered before. In some instances the crimes were committed in cooperation or in conjunction with other groups or organizations.

Now, in order to look into the strength of these various organizations, I have some figures here that I would like to quote to your Honors. The SIPO and SD was composed of the Gestapo, Kripo and SD. The Gestapo was the largest, and it has a membership of about 40,000 to 50,000 in 1934 and 1935. That is an error; it is 1943 to 1945. It was the political force of the Reich.

THE PRESIDENT: Did you say the date was wrong?

COLONEL STOREY: Yes, it is '43 to '45.

THE PRESIDENT: Very well.

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THE TRIBUNAL; (Mr. Biddle): Where are you speaking from?

COLONEL STOREY: Document 3033-PS, and it is an affidavit of Walter Schellenberg, one of the former officials I referred to a moment ago.

I believe, if Your Honor please, to get it in the record, I'll read the whole affidavit. Document 3033-PS.

"The SIPO and SD was composed of the Gestapo, KRIPO and SD. In 1943-45 the Gestapo had a membership of about 40,000 to 50,000; the KRIPO had a membership of about 15,000; and the SD had a membership of about 3,000. In common usage, and even in orders and decrees the term "SD" was used as an abbreviation for the term "SIPO and SD". In most such cases actual executive action was carried out by personnel of the Gestapo rather than of the SD or the KRIPO. In occupied territories members of the Gestapo frequently wore SS uniforms with SD insignia. New members of the Gestapo and the SD were taken on a voluntary basis. This has been stated and sworn to by me today the 21st of November 1945." And then, subscribed and sworn to before Lt. Harris, 21 November, 1945.

I think I ought to say here, if Your Honors please, that it is our information that a great many of the members of the Gestapo were also members of the SS. We have heard various statements of the amount, but have nodirect authority. Some authorities say as much as 75 per cent, but still we have no direct evidence on that.

I now offer in evidence document 2751-PS, which is US Exhibit 482. It is an affidavit of Alfred Helmut Naujocks, 2751-PS, dated November 20, 1945. This affidavit particularly refers to the actual occurrences in connection with the Polish border incident. I believe it was referred to by the witness Lahousen when he was on the stand.

I, ALFRED HELMUT NAUJOCKS, being first duly sworn, depose and state as follows:

1. I was a member of the SS from 1931 to 19 October 1944 and a member of the SD from its creation in 1934 to January 1941. I served as a member of the Waffen-SS from February 1941 until the

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middle of 1942. Thereafter, I served in the Economic Department of the Military Administration of Belgium from September 1942 to September 1944. I surrendered to the Allies on 19 October 1944.

2. On or about 10 August 1939, the chief of the SIPO and SD, Heydrich, personally ordered me to simulate an attack on the radio station near Gleiwitz near the Polish border and to make it appear that the attacking force consisted of Poles. Heydrich said, "Practical proof is needed for these attacks of the Poles for the foreign press as well as for German propaganda purposes." I was directed to go to Gleiwitz with five or six other SD-men and wait there until I received a code word from Heydrich indicating that the attack should take place. My instructions were to seize the radio station and to hold it long enough to permit a Polish speaking German who would be put at my disposal to broadcast a speech in Polish. Heydrich told me that this speech should state that the time had come for conflict between Germans and Poles and that the Poles should get together and smash down any Germans from whom they met resistance. Heydrich also told me at this time that he expected an attack on Poland by Germany in a few days.

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3. I went to Gleiwitz and waited there fourteen days. Then I requested permission of Heydrich to return to Berlin but was told to stay in Gleiwitz. Between the 25th and 31st of August I went to see Heinrich Mueller, head of the Gestapo, who was then nearby at Oppeln. In my presence Mueller discussed with a man named Mehlhorn plans for another border incident, in which it should be made to appear that Polish soldiers were attacking German troops. Germans in the approximate strength of a company were to be used. Mueller stated that he had 12 or 13 condemned criminals who were to be dressed in Polish uniforms and left dead on the ground of the scene of the incident, to show that they had been killed while attacking. For this purpose they were to be given fatal injections by a doctor employed by Heydrich. Then they were also to be given gunshot wounds. After the incident members of the press and other persons were to be taken to the spot of the incident. A police report was subsequently to be prepared.

4. Mueller told me that he had an order from Heydrich to make one of those criminals available to me for the action at Gleiwitz. The code name by which he referred to these criminals was "Canned Goods".

5. The incident at Gleiwitz in which I participated was carried out on the evening preceding the German attack on Poland. As I recall, war broke out on the 1st of September 1939. At noon of the 31st August I received by telephone from Heydrich the code word for the attack which was to take place at 8 o'clock that evening. Heydrich said, "In order to carry out this attack report to Mueller for Canned Goods." I did this and gave Mueller instructions to deliver the man near the radio station. I received this man and had him laid down at the entrance to the station. He was alive but he was completely unconscious. I tried to open his eyes. I could not recognize by his eyes that he was alive, only by his breathing. I did not see the shot wounds but a lot of blood was smeared across his face. He was in civilian clothes.

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6. We seized the radio station as ordered, broadcast a speech of three to four minutes over an emergency transmitter, fired some pistol shots and left.

The facts stated above are true; this declaration is made by me voluntarily and without compulsion; after reading over the statement I have signed and executed the same at NURNBERG/Germany this 20th day of November 1945.

/s/ Alfred Helmut Naujocks
ALFRED HELMUT NAUJOCKS

Subscribed and sworn to before me this 20th day of November 1945 at NURNBERG/Germany.

/s/ John B. Martin
JOHN B. MARTIN
Lt. (jg)USNR

I, Ilse Grainger, Civilian, do hereby certify that I am a qualified translator of the German language; that the attached translation is a true and correct translation of the above statement. This 20th day of November 1945 at NURNBERG, Germany.

/s/ Ilse Grainger
ILSE GRAINGER.

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The Gestapo and the SD carried out mass murders of hundreds of thousands of civilians of occupied countries as a part of the Nazi program to exterminate political and racial undesirables, by the so-called Einsatz Groups. Your Honors will recall the evidence concerning the activity of these Einsatz Groups of Einsatzcommandos. I now refer to Document R-102.

If Your Honors please, I understand Major Farr introduced this document this morning, but I want to refer to just one brief statement which he did not include concerning the SD and the Einsatz Group and Security Police. It is on Page 4 of R-102:

"During the period covered by this report the stations of the Task Forces of the Security Police and the SD have changed only in the Northern Sector."

THE PRESIDENT: What was the document?

COLONEL STOREY: R-102, which is already introduced in evidence by Major Farr, and it is in Volume 2 toward the end of the book.

THE PRESIDENT: I have a document here. Page 4, is it?

COLONEL STOREY: Page 4, yes, sir. There are two reports submitted by the Chief of the Einsatz Group A available. The first report is document L 180, which has already been received as US Exhibit --276

THE PRESIDENT: Colonel Storey, will you not pass quite so fast from one document to another?

COLONEL STOREY: Yes, sir, pardon me, sir. L-180, and I want to quote from Page 13. It is on Page 5 of the English translation. It is the beginning of the first paragraph, near the bottom of the page:

"In view of the extension of the area of operations and of the great number of duties which had to be performed by the Security Police, it was intended from the very beginning to obtain the cooperation of the reliable population for the fight against vermin; that is, mainly the Jews and Communists."

And also in that same document, Page 30 of the original, page 9 of the English translation:

"From the beginning it was to be expected that the Jewish problem could not be solved by pogroms alone."

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THE PRESIDENT: I am told that that has been read already.

COLONEL STOREY: I had it checked, and we didn't catch that, Your Honor. I'll pass on then.

Now, if Your Honor please, we will pass to document 2273 PS next. I offer in evidence now just portions of document 2273 PS, which is US Exhibit 487. This document was captured by the USSR and will be offered in detail by our Soviet colleagues later. But with their consent, I want to introduce in evidence a chart which is identified by that document, and we have an enlargement which we would like to put on the board and pass to the Tribunal photostatic copies.

If your Honor please, this chart is identified by the photostatic copy attached to the original report which will be dealt with in detail later. I want to quote just one statement from Page 2 of the English translation of that document. It is the third paragraph from the bottom on Page 2 of the English translation:

"The Esthonian self-protection movement formed as the Germans advanced did begin to arrest Jews, but there were no spontaneous programs. Only by the Security Police and the SD were the Jews gradually executed as they became no longer required for work. Today there are no longer any Jews in Esthonia."

That document is a top secret document by Einsatz Group A, which was a special projects Group. This chart, of which the photostatic copy is attached to the original in the German translation on the wall, shows the progress of the extermination of the Jews in the area in which this Einsatz Commando Group operated.

If your Honors will refer to the top next to Petersburg, or Leningrad as we know it, and down below you will see the picture of a coffin, and that is described in the report as 3600 having been killed.

Next over at the left is another coffin in one of the small Baltic States, showing 963 in that area have

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been put in the coffin.

Then next down near the capital of Riga, you will note that they have 36,238 that were put away in the coffins, and it refers to the Ghetto there as still having 2500.

You come down to the next square or the next state showing 136,421 were put in their coffins, and then in the next area near Minsk, and just above Minsk there were 41,828 put in their coffins.

THE PRESIDENT: Are you sure they were put in the coffin in the one of 136,000?

COLONEL STOREY: I beg your pardon, sir.

THE PRESIDENT: Are you sure that they were executed, the 136,000, because there is no coffin there.

COLONEL STOREY: Here are the totals from the documents.

THE PRESIDENT: These photostatic copies are different to what you have got there. In the area which is marked 136,421 there is no coffin.

COLONEL STOREY: Well, I am sorry. The one that I have is a true and correct copy up there.

THE PRESIDENT: Mine hasn't got it and Mr. Biddle's hasn't got it.

COLONEL STOREY: Will you hand this to the President, please?

THE PRESIDENT: I suppose the document itself will show it.

COLONEL STOREY: I will turn to the original and verify it. Apparently there is a typographical error. If your Honor please, here it is, 136,421, with the coffin.

THE PRESIDENT: Mr. Parker points out it is in the document itself too.

COLONEL STOREY: Yes, sir, it is in the document itself. There is an error on that.

The 128,000 at the bottom shows at that time there were 128,000 on hand, and the literal translation of the statement, as I understand, means "Still on hand in the Minsk area."

I next refer to Document 1104-PS, Volume 2, U.S. Exhibit 483, which I now offer in evidence.

THE PRESIDENT: Colonel Storey, did you tell us what the document was? There is nothing on the translation to show what the document is.

COLONEL STOREY: If your Honor please, it is a report of the special purpose Group A, a top secret report, or the Einsatz Group A, in other words, making a record of their activities in these areas, and this chart was attached showing the areas covered.

THE PRESIDENT: Special group of the Gestapo?

COLONEL STOREY: The special group that was organized of the Gestapo and the SD in that area. In other words, a commando group.

As I mentioned, your Honor, they organized these special commando groups to work in and behind the armies as they consolidated their gains in occupied territories, and your Honors will hear from other reports of these Einsatz groups as we go along in this presentation. In other words, Einsatz means special action or action groups, and they were organized to cover certain geographical areas behind the immediate front lines.

THE PRESIDENT: Yes, but they were groups, were they, of the Gestapo?

COLONEL STOREY: The Gestapo and SD.

THE PRESIDENT: Well, that is part of the Gestapo.

COLONEL STOREY: There were some of the Kripo in it too.

Now, the next document is 1104-PS, dated October 30, 1941. This document shows on that date the Commissioner of the territory of Sluzk wrote a report to the Commissioner General of Minsk, in which he severely criticized the actions of the Einsatz Commandos of the SIPO and the SD operating in his area for the murder of the Jewish population of that area, and I quote the English translation on page 4 of that document, beginning at the first paragraph:

"On 27 October in the morning at about 8 o'clock a first lieutenant of the police battalion Number 11 from Kauen appeared and introduced himself as the adjutant of the battalion commander of the security police. The first

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lieutenant explained that the police battalion had received the assignment to effect the liquidation of all Jews here in the town of Sluzk within two days. The battalion commander with his battalion in strength of four companies, two of which were made up of Lithuanian partisans, was on the march here and the the action would have to begin instantly. I replied to the first lieutenant that I had to discuss the action in any case first with the commander. About half an hour later the police battalion arrived in Sluzk. Immediately after the arrival the conference with the battalion commander took place according to my request. I first explained to the commander that it would not very well be possible to effect the action without previous preparation, because everybody had been sent to work and that it would lead to terrible confusion. At least it would have been his duty to inform me a day ahead of time. Then I requested him to postpone the action one day. However, he rejected this with the remark that he had to carry out this action everywhere and in all towns and that only two days were allotted for Sluzk. Within these two days, the town of Sluzk had to be cleared of Jews by all means."

That report was made to the Reich Commissioner for the Eastern territories through Gauleiter Heinrich Lusch at Riga. Your Honors will recall that he was referred to in other presentations.

Now, skipping over to Page 5: The first paragraph, I'd like to quote it:

"For the rest, as regards the execution of the action, I must point out to my deepest regret that the latter bordered already on sadism. The town itself offered a picture of horror during the action. With indescribable brutality on the part of both the German police officers and particularly the Lithuanian partisans, the Jewish people, but also among them White Ruthenians, were taken out of their dwellings and herded together. Everywhere in the town shots were to be heard and in different streets the corpses of shot Jews accumulated. The White Ruthenians were in greatest distress to free themselves from the encirclement. Regardless of the fact that the Jewish people, among whom were also tradesmen, were mistreated in a terribly barbarous way in the face of the White Ruthenian people, the White Ruthenians themselves were also worked over with rubber clubs and rifle butts. There was no question of an action against the Jews any more. It rather looked like a revolution."

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And then I skip down to the next to the last paragraph on that same page:

"In conclusion I find myself obliged to point out that the police battalion has looted in an unheard of manner during the action, and that not only in Jewish houses but just the same in those of the White Ruthenians. Anything of use such as boots, leather, cloth, gold and other valuables, has been taken away. On the basis of statements of members of the armed forces, watches were torn off the arms of Jews in public, on the street, and rings were pulled off the fingers in the most brutal manner. A major of the finance department reported that a Jewish girl was asked by the police to obtain immediately 5,000 rubles to have her father released. This girl is said to have actually gone everywhere in order to obtain the money."

There is another paragraph with reference to the number of copies, and that is on the first of the three pages of the translation that I'd like to call your Honors' attention to. The last paragraph on Page 3 of the translation:

"I am submitting this report in duplicate so that one copy may be forwarded to the Reich Minister. Peace and order cannot be maintained in White Ruthenia with methods of that sort. To bury seriously wounded people alive who worked their way out of their graves again is such a base and filthy act that the incident as such should be reported to the Fuehrer and Reich Marshal.

"The civil administration of White Ruthenia makes very strenuous efforts to win the population over to Germany in accordance with the instructions of the Fuehrer. These efforts cannot be brought in harmony with the methods described herein."

Signed by the Commissioner General for White Ruthenia.

And then on the 11th of November 1941, he forwards it to the Reich Minister for Occupied Countries, in Berlin.

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THE PRESIDENT: Who was there at that time?

COLONEL STOREY: The Reich Commissioner I believe it was shown for the Eastern occupied country was the Defendant Rosenberg. I think that is correct. On the same date by separate letter the Commissioner General of White Ruthenia to the Reich Commissioner for the Eastern Territories that he had received money, valuables, and other objects taken by the police in the action at Sluzk, and other regions, all of which had been deposited with the Reich Credit Institute for the disposal of the Reich Commissioner.

On 21 November 1941 a report on the Sluzk incident was sent to the personal reviewer of the permanent deputy of the Minister of the Reich with a copy to Heydrich, the Chief of the Security Police and SD. That is shown on the first page of document No. 1104.

The activities of the Einsatz Groups continued throughout 1943 and 1944 under KALTENBRUNNER as Chief of the Security Police and SD. Under adverse war conditions, however, the program of extermination was to a large extent changed to one of rounding up slave labor for Germany.

I next refer to document No.3012-PS, which has heretofore been introduced as U.S.A. Exhibit No.190, which is a letter from the Headquarters of a Sondercommando, a group or section known as Einsatz Group C, dated 19 March 1943. This letter summarizes the real activities and methods of the Gestapo and SD, and I would like to refer to the additional portion of the letter, to those previously quoted on page 2, of document 3012-PS, and I believe I will read the first page, the beginning of the first paragraph:

"It is the task of the Security Police and the Security Service, SD, to discover all enemies of the Reich, and fight against them in the interest of security in the zone of operations, especially to guarantee the security of the Army. Besides the annihilation of active opponents; other elements who by virtue of their opinions

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that their past may appear in part as enemies under favorable conditions are to be eliminated through preventive measures. The Security Police carries out this task according to the general directives of the Fuehrer with all the required toughness. Energetic measures are especially necessary in territories endangered by the activity of hostile gangs? The competence of the Security Police within the zone of operations is based on the Barbarossa decress."

The Tribunal will recall the famous barbarossa code, namely, the decrees that were issued in connection with the invasion of Russia:

"I deem the measures of the Security Police carried out on a considerable scale during recent times necessary for the two following reasons:

1. The situation at the front in my sector had become so serious with the population partly influenced by Hungarians and Italians who streamed back in chaotic condition and take openly positions against us.

2. That the strong expeditions by hostile gangs who came especially from the Forest of Brvansk were another reason. Besides that, other revolution groups formed by the population appeared suddenly in all districts. The providing of arms evidently provided no difficulty at all. It would have been irresponsible if we had observed this whole activity without acting against it. It is obvious that all such measures bring about some harshness."

I want to take up the significant point of harsh measures.

1. Shooting Hungarian Jews.

2. Shooting of Agronoms.

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"3. Shooting of children.

4. Total burning down of villages.

5. Shooting--I quote-- while trying to escape of Security Service SD prisoners.

Chief of commitment group C confirmed once more the correctness of the measures taken, and expressed his recognition for the energetic action. With regard to the current political situation, especially on the permanent industry in the Fatherland, the measures of the Security Police have to be subordinated to the greatest extent to the recruiting of labor for Germany. In the shortest possible time the Ukraine has to put at the disposal of armament industry one million workers, five hundred of whom have to be sent from our territory daily."

Your Honor, please, I believe the rest of the numbers have been quoted before by Mr. Dodd. I refer to the next page, and to the first order in quotes, as sub-paragraph -

"1. Special treatment is to be limited to the minimum.

2. Listing of communist functionaries' activities, and so on, is to take place by roster only for the time being without arresting anybody. It is, for instance, no longer feasible to arrest all the close relatives of a member of the Communist Party, although members of the Komsomalz are to be arrested only, and if they are active in a leading postition."

The next paragraph has been read into evidence, 3 and 4, in a previous presentation. I will read.

"No. 5. The reporting of hostile gangs, as well as drives against

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"them is not effected hereby. All drives against these hostile gangs can only take place after my approval has been obtained. The prisons have to be kept empty as a rule, and we have to be aware of the fact that the Slavs will interpret the soft treatment on our part as weakness, and that they will act accordingly right away. If we limit our harsh measures of the Security Police through the above orders for the time being, that is only done for the following reasons. The most important thing is the recruiting of workers. No check of persons to be sent into the Reich will be made. No written certificates of political reliability check, or similar things, will be issued. Signed by the SS Major Christiansen and commanding officer."

I understand that Your Honor wants to adjourn at four o'clock, and I believe that I can introduce one more statement. It was the Einsatz Groups of the Security Police and SD that operated the infamous death vans. The previous document 501-PS, which was received as USA Exhibit 288, referred to this operation. The letter from Becker, which is part of this exhibit, was addressed to Obersturmbannfuehrer Rauff at Berlin. I now refer to Document L-185. I simply refer to Document 501-PS in reference to the death vans. The Document L-185, USA No. 484, is the one I am now offerering in evidence, page 7 of the English translation, L-185. It will be observed that the Chief of AMT II D of the RSHA in charge of Technical Matters was Obersturmbannfuehrer Rauff. Mr. Harris advises me that the one point to be proved by that is that Amt II of the RSHA, who made this report on Technical Matters, was the Obersturmbannfuehrer Rauff, and then he refers in the same connection to Document 2348-PS, which is USA Exhibit 485.

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The previous one was to identify Rauff, and then to offer his affidavit which is Document 2348-PS, second volume. Reading from the beginning of the affidavit which was made on 19 October 1945 in Anonna, Italy, as follows:

"I hereby acknowledge the attached letter written by Dr. Becker on 16 May 1942, and received by me on the 29 May 1942, as a genuine letter. I did on 18 October 1945 write on the side of this letter a statement to the effect that it was genuine. I do not know the number of death vans being operated, and cannot even give an approximate figure. The vans were built by the SAURER WORKS, Germany, located, I believe, in Berlin. Some other firms built these vans also. Insofar as I am aware these vans operated only in Russia. Insofar as I can state these vans were probably operating in 1941, and I personally feel that they were operating up to the termination of the war." Unquote.

Your Honor please, I don't believe that we will have time to go into the next exhibit.

THE PRESIDENT: Very well. Then the Tribunal will now adjourn until Wednesday, the 2nd of January.

M E R R Y C H R I S T M A S

(Whereupon at 1600 hours the hearing of the Tribunal adjourned to reconvene 2 January, 1946, at 1000 hours).